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SECOND SESSION

2000

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by

PATRICK J. O'DONNELL, CLERK

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RULES

# of the

NEBRASKA

UNICAMERAL

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RULES OF THE NEBRASKA UNICAMERAL

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RULE 1--OFFICERS AND EMPLOYEES

A. Election of Officers

Section 1. Officers to Be Elected. (a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by secret ballot the following officers:

Speaker
Chairperson of Committee on Committees
Chairperson of Executive Board
Vice Chairperson of Executive Board
6 Members of Executive Board (See footnote)

Before the ballot is taken each person so nominated may make a public statement to the Legislature indicating what the Legislature may expect from him or her in the area of the responsibility of such office. The officers so elected shall hold such office for a period of two years.

The Legislature elects two from Legislative Districts 1, 2, 15, 16, 21, 23 through 30, 32, 34, 35, and 46; two from Legislative Districts 3 through 14, 20, 31, 39, and 45; and two from Legislative Districts 17 through 19, 22, 33, 36 through 38, 40 through 44, and 47 through 49. Speaker is member of Board; Chairperson of Appropriations is nonvoting member. RRS 50-401.01.

(b) In the event a vacancy occurs on the Executive Board, the following shall apply:

(i) The Vice Chairperson shall serve as acting Chairperson upon the resignation or death of the Chairperson until the commencing of the next regular session of the Legislature, at which time the Legislature shall nominate from the floor and elect by secret ballot a Chairperson of the Executive Board for the balance of the original term.

(ii) Upon the resignation or death of the Speaker, during the interim, said position shall remain vacant until the next regular session or special session the Legislature convenes, at which time a Speaker shall be nominated from the floor and elected by secret ballot for the balance of the original term.

Upon the resignation or death of the Speaker during the session, a Speaker shall immediately be nominated from the floor and elected by secret ballot for the balance of the term.

(iii) In the event there is a vacancy of the Vice Chairperson of the Executive Board during the interim, said vacancy shall be filled pursuant to Rule 3, Section 7(c) until the commencing of the next regular session of the Legislature at which time the Legislature shall nominate from the floor and elect by secret ballot a Vice Chairperson of the Executive Board for the balance of the original term.

(iv) During session, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Legislature. The individual so selected shall serve for the balance of the original term.

During the interim, a vacancy among the remaining six members of the Executive Board shall be filled by a majority vote of all members of the respective caucus from which the vacancy occurred, subject to approval of the Executive Board. The individual so selected shall serve for the balance of the original term.

Sec. 2. Officers to Be Approved. In addition, the Legislature shall advise and consent to the recommendations of the Executive Board of the Legislative Council for the following officers:

Chief Clerk of the Legislature
Assistant Clerk of the Legislature
Sergeant at Arms
Chaplain Coordinator

Officers and employees recommended by the Executive Board. RRS 50-111.

Sec. 3. Voting on and Removal of Officers. (a) A majority vote of the elected members shall be required for the election of all officers of the Legislature. All officers shall hold their office until a successor is chosen or they are removed.

(b) Any officer of the Legislature may be recalled upon a two-thirds majority vote of the members elected to the Legislature provided no such recall shall be voted on until five legislative days after the motion to do so is placed in the Journal. The vacancy thus created shall be filled by a majority vote of the members.

Sec. 4. Officer's Oath. Each permanent officer shall take an oath to support the Constitution of the United States, and the constitution of the State of Nebraska, and to discharge faithfully the duties of his or her office according to the best of his or her ability.

B. Presiding Officer

Sec. 5. President of the Legislature. The Lieutenant Governor shall preside as President of the Legislature. The Speaker shall serve as acting President and preside when the Lieutenant Governor shall be absent, incapacitated, or shall be acting as Governor. All references herein made to the President shall be construed as meaning also the Speaker whenever he or she may preside.

Prohibited from presiding when acting as Governor. Const. Art. III, Sec. 10.
Duties and powers. RRS 50-113.

Sec. 6. Presiding Officer, Order in Designating. In the absence of both the Lieutenant Governor and the Speaker, the order of the presiding officer of the Legislature shall be as follows:

Chairperson of the Legislative Council
Chairperson of Committee on Committees
Chairperson of Committee on Judiciary
Chairperson of Committee on Government, Military and Veterans Affairs
Chairperson of Committee on Appropriations
Chairperson of Committee on Revenue
Chairperson of Committee on Education
Chairperson of Committee on Banking, Commerce and Insurance
Chairperson of Committee on Natural Resources
Chairperson of Committee on Agriculture
Chairperson of Committee on Health and Human Services
Chairperson of Committee on General Affairs
Chairperson of Committee on Business and Labor
Chairperson of Committee on Urban Affairs
Chairperson of Committee on Transportation

Sec. 7. Powers of Presiding Officer, Restrictions. All the powers herein conferred on the President shall be exercised by the presiding officer, except the authority to sign bills or resolutions passed by the Legislature.

Const. Art. III, Sec. 14.
Addressing the chair. Rule 2, Section 7.
Duties. RRS 50-113.

Sec. 8. Alternate Presiding Officers. The President may name any member to perform the duties of the presiding officer, but such delegation shall not extend beyond adjournment.

Sec. 9. Convening of Legislature, Quorum. The President shall take the chair each legislative day at the hour to which the Legislature shall have adjourned at the last sitting. He or she shall call the Legislature to order, and a quorum being present, shall proceed in the manner and order prescribed by these Rules. A majority of the members elected to the Legislature shall constitute a quorum.

Const. Art. III, Sec. 10.

Sec. 10. Absence of Quorum. If the President finds that a number less than a quorum is present, he or she shall so state, and a majority of the members present, if five in number, may compel the presence of all members subject to a call of the house.

Sec. 11. Order and Decorum. The President shall preserve order and decorum, and in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared.

Consent to enter chamber. Rule 2, Section 3.

Sec. 12. Overrule Ruling of the Chair. The President may speak to a point of order in preference to members, and shall decide the questions or order, subject to a challenge to the Legislature by any member, on which challenge no member may speak more than once, unless by leave of the Legislature. In the event of a challenge to a ruling of the chair, the ruling shall be restated and the question shall be phrased: "Shall the Chair be overruled?" A majority of those present shall be required to overrule the chair.

Sec. 13. Signing of Bills and Resolutions. The President shall sign, in the presence of the Legislature, while the same is in session and capable of transacting business, all bills and resolutions passed by the Legislature. All writs, warrants, and subpoenas issued by order of the Legislature shall be under his or her hand and seal, and attested to by the Clerk.

Only Lieutenant Governor or Speaker may sign bills. Const. Art. III, Sec. 14.

Sec. 14. Lieutenant Governor Voting, When. The Lieutenant Governor, when presiding, shall vote only when the Legislature is equally divided.

Const. Art. III, Sec. 10.

C. Speaker

Sec. 15. Speaker, Presiding, Privilege. The Speaker shall preside over the Legislature at such times and circumstances as is above set forth. He or she shall be privileged to speak at any stage of proceedings at any time incident to the duties and responsibilities of his or her office.

Distribution of material by Clerk. Rule 2, Section 3g.
Excuse attendance at committee hearing. Rule 2, Section 4.
Power to refer bill back to committee. Rule 6, Section 3g.
Signing of bills. Const. Art. III, Sec. 14.

Sec. 16. Report Order of Bills. (a) The Speaker, with the approval of the Executive Board, shall report to the Legislature the order in which bills and resolutions shall be considered on General File. The Speaker's orders, as approved, are final unless changed by a three-fifths vote of the elected members of the Legislature. General appropriation bills shall be given precedence over all other bills.

(b) The Speaker may, when sound judgment would so dictate, postpone the scheduled reconvening of the Legislature for up to forty-eight hours when (1) an emergency exists due to adverse weather or other causes, or (2) a quorum cannot be assembled within one half hour after the time to which the Legislature was to have convened.

(c) The Speaker shall prepare a daily legislative agenda and shall make every effort possible to deliver the agenda to the members of the Legislature not less than one day prior to the day for which the agenda was prepared.

Sec. 17. Speaker's Major Proposals. The Speaker shall be authorized to: (a) Designate up to five bills, or resolutions proposing to amend the Constitution, as major proposals during each legislative session. Determinations made by the Speaker pursuant to this subsection shall be limited to bills or resolutions previously designated as a senator priority and approved by a vote of two-thirds of the Executive Board.

(b) Require each committee to which a major proposal has been referred to:

(1) hold a public hearing by a date certain as agreed to by the Speaker and committee chairperson.

(2) take action, including voting to advance the measure with or without amendments to the full Legislature, voting to indefinitely postpone the measure, or taking a vote on the measure that does not result in the measure's advancement or indefinite postponement. Committee action as defined above must be taken by a date certain as determined by the Speaker and committee chairperson.

(c) Determine the scheduling of the proposal and the order of amendments and motions to be considered.

D. Clerk of the Legislature

Sec. 18. Duties, Journal, Report on Employees. (a) The Clerk of the Legislature shall attend sessions, call the roll, and keep journal of proceedings.

(b) The Clerk of the Legislature shall print no paper or document, except bills and the daily Journal, unless authorized by a majority vote of the elected members of the Legislature, or by the Executive Board.

Preprinting of bills. Rule 5, Section 3.

(c) The Clerk of the Legislature shall have general charge, except as may be provided by law or by rule, of such parts of the Capitol and its passages as are or may be set apart for the use of the Legislature and its officers and employees.

(d) No communications or letters shall be read by the Clerk of the Legislature unless authorized by the Speaker or the Executive Board Chairperson.

General duties. RRS 50-114.
Distribute material, when authorized. Rule 2, Section 3g.
Fiscal notes, attach to bills. Rule 5, Section 6d.

Sec. 19. Journal, Governor's Messages, Amendments. (a) The Clerk shall prepare a daily Journal of the proceedings of the Legislature, which shall be printed and placed each day upon the desks of the members, and the presiding officer shall call in the regular order of business for corrections thereof. After corrections, if any are made, the Journal shall stand approved without motion.

Order of business. Rule 7, Section 1b.

(b) The Clerk shall enter in the daily Journal messages of the Governor in full, titles of bills, every vote, including the yeas and nays, and a brief statement of the contents of each resolution, petition, memorial, or other paper presented for the consideration of the Legislature.

Constitutional amendment, print in full. Const. Art. XVI, Sec. 1.

(c) The hour at which the Legislature adjourns shall be entered in the daily Journal.

(d) All amendments for which a vote is taken shall be entered in the daily Journal.

(e) All amendments and motions filed with the Clerk prior to the day a bill or resolution is considered shall be recorded in the daily Journal with the name of the introducer or introducers. The text of any amendment whose length is no more than ten pages shall be printed in the daily Journal. All amendments which are approximately ten pages or more shall be noted in the daily Journal as on file in the bill room or the Clerk's office.

(f) Additional copies of the daily Journal, to be mailed at the Clerk's direction, shall be supplied for the use of each member in such manner as shall be provided by the Legislature.

(g) The bound Journal of the session shall be prepared from the corrected daily Journal.

(h) A verbatim record of all debate and questions on all bills and resolutions, and amendments offered thereto, shall be made, transcribed, and preserved under the direction of the Clerk.

(i) A list of lobbyists who are registered shall be set forth in the Journal.

On registration of lobbyists. RRS 49-1480 through 49-1492.

Sec. 20. Assistant Clerk, Duties. The Assistant Clerk shall, in the absence of the Clerk, be authorized to exercise all the duties herein prescribed for the Clerk of the Legislature, including the signing of those papers which may require the signature of the Clerk of the Legislature.

RRS 50-115.

E. Other Offices

Sec. 21. Sergeant at Arms. (a) The Sergeant at Arms shall attend the Legislature during its sittings, to execute the commands of the Legislature from time to time, together with all such processes issued by authority thereof as shall be directed to him or her by the presiding officer, and shall enforce strictly the rules as they relate to privileges of the legislative chamber.

RRS 50-116.

(b) The Assistant Sergeant at Arms shall assist the Sergeant at Arms and in the absence of the latter, shall perform all of the duties herein prescribed for the Sergeant at Arms.

(c) Such other security guards as may be necessary shall be under the direction of the Speaker.

Compel attendance. Rule 2, Section 4.

Sec. 22. Chaplain Coordinator. The Chaplain Coordinator shall work in conjunction with organized Nebraska groups of Clergy to arrange for prayer at the beginning of each day of the legislative session.

Sec. 23. Other Employees, Hiring of. The Executive Board of the Legislative Council shall hire all employees of the Legislature except those subject to the procedure in Rule 1, Section 2. The salaries of permanent employees shall be determined by the Executive Board subject to the limits of the appropriation bill.

RRS 50-112.

RULE 2--RULES OF PROCEDURE

Section 1. Rules, Matters Not Covered. (a) These rules shall be adopted at the commencement of each regular session and, as amended from time to time, shall govern the Legislature for a period of one year. In all matters not covered herein, the Legislature shall decide as to the procedure to be followed, the same to require the concurrence of a majority of the elected members.

(b) In the absence of a controlling rule to cover a specific situation and in the absence of controlling custom, usage, and/or precedent, the presiding officer may utilize Mason's Manual of Legislative Procedure as authority.

Overruling the chair. Rule 1, Section 12.
Presiding officer, duties. RRS 50-113.

Sec. 2. Rules, Suspension, Amendment. These rules may only be suspended by a three-fifths majority of the elected members by a machine vote, and such a motion shall not be amendable or divisible. These rules may be amended by a three-fifths majority vote of the members elected; Provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

Sec. 3. Chamber, Guests, Distributions of Material. (a) The legislative chamber shall consist of the entire floor of the legislative chamber including the space under the balcony on either side adjacent thereto, or any other space designated by the Legislature or the Executive Board thereof.

(b) No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

(i) Members of the Legislature and their immediate families.
(ii) Officers and employees of the Legislature.
(iii) Reporters of regularly accredited newspapers and broadcasting stations.

(c) With the permission of the chair, members may invite guests to the legislative chamber to sit in those specially designated areas located in the rear of the chamber. When exercising this privilege, members should be sensitive to the matter under discussion on the floor and not have guests seated within the chamber who have a direct interest in the matter being discussed.

Any member may object to the presence of a guest within the chamber on the grounds that the guest has an interest in the matter being debated. If the chair concurs with this judgment, the guest shall be asked to leave the chamber.

No registered lobbyist shall be admitted to the chamber.

(d) The Governor, state officers, former legislators, and other distinguished visitors may be admitted to the floor upon permission from the chair.

State officials appearing before committees. Rule 3, Section 14.

(e) No one shall be permitted to be seated beside members of the Legislature except members of their immediate families upon permission from the chair. When bills are being read on Final Reading, no one other than members of the Legislature shall be permitted on the floor of the Legislature, except for employees of the Clerk of the Legislature's office or as provided in Section 3(h) of this rule.

(f) No person, other than those hereinbefore excepted, shall be admitted to the members' cloak room or post office, unless accompanied by a member.

(g) No printed or written material of any nature may be placed on the desks of the members or distributed to them in the legislative chamber, unless such material clearly indicates on its face the person responsible for its distribution. The distribution must be approved by at least one member of the Legislature. The Speaker may authorize the Clerk to distribute material prepared by state agencies.

(h) Members shall remain in their seats during the Final Reading of a bill and until the vote thereon has been announced, except when excused by the President. During discussion of amendments or motions offered pursuant to Rule 6, Section 8, officers and employees of the Legislature shall be permitted on the floor of the Legislature and members may move about the legislative environs subject to a quorum call request by any member pursuant to Rule 7, Section 5. For purposes of this rule, legislative environs shall mean the Legislative Chamber, the Senate Lounge, and the hallway connecting those areas.

(i) No individual, other than a senator or officer of the Legislature, shall be allowed to address the Legislature except from the podium.

(j) The smoking of any tobacco product by any member or any other individual within the Legislative Chamber is prohibited. The Senate Lounge (Room 2026) shall be a designated smoking area.

(k) The use of any mobile, portable, or wireless communication device that emits an audible signal, other than those authorized by the Legislative Council or used by licensed medical persons on duty, is prohibited in the Chamber while the Legislature is in session.

Sec. 4. Attendance at Sessions. (a) Every member shall be present within the legislative chamber during the meetings of the Legislature and shall attend the regular meeting of the standing committee of which he or she is a member, unless excused by the Legislature, the Speaker, or the committee chairperson. Members who have been excused by the Legislature or the Speaker shall notify their committee chairperson that they will be absent.

(b) The presence of any member may be compelled, if necessary, by sending the Sergeant at Arms, or such other person or persons as the membership present may authorize, at the expense of such absent member, unless such excuse for nonattendance is made as the Legislature may judge sufficient, and in that case the expense shall be paid out of the contingent fund.

Sec. 5. Absent Members, Explanation of Vote. Members who are shown as excused and not voting may have inserted into the Journal how he or she would have voted had he or she been present.

Sec. 6. Expulsion of Members. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense.

Const. Art. III, Sec. 10.

Sec. 7. Senator Desiring to Speak. (a) When a member desires to speak in debate or to deliver any matter to the Legislature, he or she shall rise from his or her seat and respectfully address himself or herself to "Mr. or Madame President." A member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature.

(b) No member shall interrupt the business of the Legislature nor speak to another who has the floor, except when he or she may yield to a question. No guest will be introduced during the legislative session except dignitaries and such dignitaries shall only be introduced by the presiding officer, provided that the presiding officer can announce the presence of visiting groups or organizations at his or her discretion. Those individuals and groups not introduced may be inserted in the Journal by request. No member shall use profane or abusive language when speaking to or about another member.

Sec. 8. Transgression of Rules, Call Member to Order. If any member, in speaking or otherwise, transgresses the Rules of the Legislature, the presiding officer shall, or any member may, call such member to order, in which case he or she shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he or she shall be at liberty to proceed, but not otherwise, and if the case requires it, he or she shall be liable to censure or such punishment as the Legislature may deem proper.

Sec. 9. Words Excepted To. If a member is called to order for words spoken in debate, the member calling him or her to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature, but he or she shall not be held to answer, nor be subject to the censure of the Legislature therefore, if further debate or other business shall have intervened.

Sec. 10. Time Limit on Speaking. Each member shall be allowed to speak up to three times for not more than five minutes on each occasion, upon any one question in deliberation during the legislative day, without leave of the Legislature, unless he or she be the mover, proposer, or introducer of the matter pending in which case he or she shall be permitted to speak in reply, but not until every other member choosing to speak shall have spoken. Provided, however, the mover, proposer, or introducer of the matter pending may speak for ten minutes when he or she first presents the matter to the Legislature.

Sec. 11. Personal Privilege. Personal privilege shall be, first, those affecting the rights, dignity, and integrity of the Legislature collectively; and second, the rights, reputation, and conduct of members individually. They shall have precedence over all other questions except motions to adjourn. Personal privilege shall not be used to permit any discussion or debate pertaining to any measure pending before the Legislature. All questions of privilege shall be channeled through the presiding officer, who shall determine their order of consideration.

RULE 3--COMMITTEES

Section 1. Committees in General. (a) Each committee of the Legislature is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Legislature, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony, as it deems advisable. Each committee may make investigation into any matter within its jurisdiction, may report such hearings as may be had by it, and may present to the Legislature for its consideration any final reports and recommendations for action resulting from such investigations.

(b) A committee's subject-matter jurisdiction extends to all matters specified in the act creating the committee, or to all matters reasonably comprehended in the name of the committee. A committee's particular jurisdiction extends to any bill, resolution, or other measure referred to it by the Legislature, until final report of the measure has been made by the committee to the Legislature. A committee's particular jurisdiction shall also include review of the budgets of agencies, boards, and commissions reasonably encompassed in its subject matter jurisdiction.

(c) No committee may exercise any of the above mentioned powers in a manner contrary to the Rules of the Legislature or in a manner which exceeds the scope of the act defining the purpose of the committee.

(d) A committee may adopt the Model Committee Rules (Appendix A to Rule 3) as the rules to be used in governing the committee's activities.

Model Committee Rules-Appendix A on file in the Clerk's office.

Sec. 2. Appointment of Committees. (a) Beginning on February 1, 1998, at the commencement of each biennium, the Legislature shall elect a Committee on Committees to consist of thirteen members, one at large who shall be chairperson, and four from Districts Number 1, 2, 15, 21, 22, 24 through 30, 33 through 35, and 46; four from Districts Number 3 through 14, 20, 31, 39, and 45; and four from Districts Number 16 through 19, 23, 32, 36 through 38, 40 through 44, and 47 through 49.

(b) Immediately following chairmanship and Committee on Committees membership elections, the Committee shall meet and, by a majority vote of all its members, submit to the Legislature a preliminary report of appointments to the remaining standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or by statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its members, submit to the Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or by statute.

Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to Committee for further action.

(c) The membership of all standing and select committees shall be appointed at the beginning of each session beginning in odd-numbered years and shall continue until the regular session in the next subsequent odd-numbered year.

(d) During session, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Committee on Committees unless otherwise provided for by rule or statute. A vacancy within the Committee on Committees shall be filled by a meeting of the caucus established pursuant to Rule 3, Section 2(a).

During the interim, all vacancies on standing or select committees created by the death or resignation of a member shall be filled by a majority vote of all members of the Executive Board.

Sec. 3. Standing Committees. (a) The standing committees of the Legislature shall be as follows:

Agriculture	8 members
Appropriations	9 members
Banking, Commerce and Insurance	8 members
Business and Labor	7 members
Education	8 members
General Affairs	8 members
Government, Military and Veterans Affairs	8 members
Health and Human Services	7 members
Judiciary	8 members
Natural Resources	8 members
Nebraska Retirement Systems	6 members
Revenue	8 members
Transportation	8 members
Urban Affairs	7 members

(b) The Speaker shall not be a regular member of a standing committee.

Sec. 4. Select Committees. (a) The select committees of the Legislature shall be as follows:

Committee on Committees	13 members
Enrollment and Review	1 member
Reference	9 members
Rules	6 members

(b) The Speaker of the Legislature shall serve as one of the six members and shall be an ex officio member of the Rules Committee. Select committees shall be subject to the same procedural rules as standing committees insofar as they are applicable. In addition, the following provisions shall apply:

(c) Committee on Committees.

(i) The Committee on Committees shall have authority to call before it a committee chairperson and discuss the workload of said committee. It shall hear and dispose of all written complaints filed with said committee by a senator against any committee chairperson. The Committee on Committees shall conduct said hearing in accordance with its own rules.

(d) Enrollment and Review.

(i) The Chairperson of Enrollment and Review shall report bills which have been engrossed for Final Reading and passage. In the absence of the Chairperson, the Vice Chairperson of the Judiciary Committee shall assume the duties of the Chairperson of the Enrollment and Review Committee.

(ii) The bill drafting service shall have supervision of and provide legal services for Enrollment and Review Committee.

(iii) The Chairperson of Enrollment and Review shall have authority, without being required to include the same specifically in his or her reports and recommendations to the Legislature, in accord with accepted usage:

(A) To correct the spelling of words, to correct erroneous division and hyphenation of words, to capitalize or decapitalize words, to convert masculine or feminine referents to neutral gender when appropriate, and to change numbers from words to figures or from figures to words, in new and independent acts, in the new matter of amendatory acts, in standing committee reports, and in General File, Select File, and specific amendments.

(B) To underscore or remove underscoring, as the case requires, in standing committee reports and in General File, Select File, and specific amendments.

(C) When an amendment to add the emergency clause, the severability clause, or provide an operative date is adopted on Select File which does not spell out the standard clause or section and make the necessary change in the title, the Chairperson of Enrollment and Review shall also have the authority to add to the engrossed bill the standard clause or section, assigning to it the appropriate section number, and make the necessary change in the title as a matter of course without including such action in his or her reports and recommendations to the Legislature or making any special record thereof.

(D) To add and/or delete names of introducers to reflect action on the bill while the bill remains in the possession of the Legislature at any stage of consideration.

(E) To reflect votes on Final Reading as they may occur pursuant to Rule 6, Section 10 and Rule 6, Section 15.

(e) Reference Committee.

(i) The Executive Board shall constitute the Reference Committee. The Reference Committee shall review each bill and resolution and either refer the matter to the appropriate committee or to General File. The appropriate committee is that committee which has subject-matter jurisdiction over the issue or which has traditionally handled the issue.

(ii) All nominations made to the Legislature by the Governor, requiring confirmation by the Legislature shall be referred to the appropriate standing committee and the same procedure shall be followed as governs the handling of other matters before standing committees, unless the Legislature shall otherwise direct by unanimous vote.

(iii) The Clerk of the Legislature's office shall be responsible for the collection of pertinent information on gubernatorial appointments. That information will be distributed to the appropriate standing committee prior to the time of the confirmation hearing. The Clerk's office shall be the "depository" for background information on the individual, a statement of financial interests if applicable, and other biographical information that the committee chair feels is appropriate for the committee to have before it during the confirmation process.

(iv) The committees to which a gubernatorial appointee has been referred for confirmation shall conduct a confirmation hearing. Each appointee shall be required to appear in person before the committee conducting the confirmation hearing. The appearance of the appointee may be waived for good cause shown by a majority vote of the members assigned to the committee conducting the hearing.

The committee shall prepare a report either approving or rejecting the appointment. Said report shall be filed with the Clerk of the Legislature. The Legislature shall then have the opportunity to accept or reject the report of the committee.

(v) Any appointment letter received by the Clerk of the Legislature during the last eight calendar days of any regular legislative session shall not be acted upon. Acknowledgment of receipt of the appointment shall be deferred until the next regular or special session of the Legislature.

(f) Rules Committee.

All proposed rules changes shall be set for public hearing within five legislative days after their referral to the committee. The hearing shall take place within fifteen legislative days after the referral, and the committee shall take final action on the proposal within ten legislative days after the hearing.

(g) Investigating Committees.

The Committee on Committees may appoint other select committees when authorized by the Legislature. No investigating committee of the Legislature shall be created except by resolution which shall set forth, with supporting statements, the reasons for and the purposes of the investigation, and no committee thus established shall function except during the interim between legislative sessions.

Sec. 5. Special Committees. (a) Special committees shall include all authorized committees other than standing and select committees. Unless otherwise specifically provided, special committees shall not have jurisdiction over legislative bills, but shall be subject to the same procedural rules as standing committees, insofar as they are applicable.

(b) The special committees authorized by statute as of January 1, 1980 are as follows:

Building Maintenance. RRS 81-185	6 members
Education Commission of the States. RRS 79-1504	3 members
Executive Board of the Legislative Council. RRS 50-401.01	9 members
Intergovernmental Cooperation. RRS 81-816	5 members
Legislative Program Evaluation. RRS 50-1204	5 members

(c) The following special provisions shall be in force with regard to the following special committees:

(i) Intergovernmental Cooperation Committee.

In addition to the members of the Intergovernmental Cooperation Committee chosen in accordance with Section 81-816, the Executive Board may appoint temporary members to serve on such assignments as the chairperson shall direct.

(ii) The Executive Board is authorized to exercise jurisdiction over legislative bills and resolutions and hold hearings regarding such legislation when the issue presented by the legislative bill or resolution is one of general import to the Legislature and its operations as a whole. Such legislative hearings shall comply with the provisions in Rule 3, Sec. 13.

(iii) The Legislative Program Evaluation Committee is authorized to hold hearings, at the committee's discretion, to receive testimony regarding topics it has selected for review. Such hearings shall comply with the provisions in Rule 3, Sec. 13.

Sec. 6. Meeting Times. (a) After consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings, in such manner as to avoid, as far as possible, conflicts in the assignment of members to committees. Standing committees shall meet at

1:30 p.m. on weekdays, unless otherwise approved by the Legislature, except for the Nebraska Retirement Systems Committee, which shall meet as called by the chairperson.

(b) A standing committee which decides not to hold meetings on the appointed day shall report that decision to the Clerk of the Legislature.

(c) Any legislative committee shall be subject to the call of its chairperson or to the call of a majority of its members, in accordance with the notice and procedural requirements set forth in its committee rules.

Sec. 7. Chairperson, Vice Chairperson. (a) The chairperson of each standing and select committee shall be selected by secret ballot on the floor of the Legislature.

(b) The chairperson of a special committee shall be selected in the manner provided by the act authorizing the committee, or if not specified, by the Executive Board.

(c) Each committee shall elect from its membership a vice chairperson to serve in the absence of the chairperson.

Sec. 8. Committee Quorum. A majority of the members of a committee shall constitute a quorum. A quorum must be present for the transaction of any committee business except a public hearing.

Sec. 9. Quorum at Committee Hearings. A quorum of committee members should be maintained throughout all committee hearings.

Sec. 10. Conduct During Committee Hearing. (a) No member, staff, media representative, or individual shall smoke or otherwise consume tobacco products during a committee hearing or while the committee conducts an executive session within the hearing room assigned to that committee for such purpose, unless the committee by a vote of the majority, with all the members present, taken at least once a session, decides otherwise.

(b) The use of any mobile, portable, or wireless communication device, other than those authorized by the Legislative Council or used by licensed medical persons on duty, is prohibited in legislative hearing rooms during a meeting of a legislative committee.

Sec. 11. Temporary Appointments. (a) When a member is unable to serve, the chairperson of the committee, after a majority vote of the remaining members, shall request that such vacancy be filled by the Committee on Committees.

(b) A temporary appointment may be made by the Chairperson of the Committee on Committees for only one day when requested by a chairperson of a standing committee which lacks a quorum. When a member is appointed from an eight-member committee, the consent of the member to be appointed shall first be obtained. The temporary appointee shall have the right to vote only on the bill or bills that actually have been heard by the appointee and provided that the vote is taken on such bills on the day the bill or bills are heard. When such appointment is made in case of an incapacitated member, such appointee shall cease to be a member of such committee upon the return of the incapacitated member for whom he or she was appointed.

Sec. 12. Consideration and Correlation of Bills and Resolutions. (a) Committees shall consider and report without unnecessary delay all bills and resolutions referred to them. Committees shall be authorized to combine and to correlate the provisions of different bills and resolutions referred to them and related to the subject matter jurisdiction of the committee. Committees may, before taking final action on any bill or resolution, adopt amendments thereto, for the consideration of the Legislature.

(b) The chairperson of each committee shall set for hearing all bills and resolutions referred to the committee, except as provided for in Rule 1, Section 17.

Sec. 13. Public Hearing, Notice. Before taking final action on a bill, resolution, or gubernatorial appointment, a committee shall hold a public hearing thereon and shall give at least seven calendar days' notice, after the bill or pronouncement of the appointee shall have been printed, by publication in the Legislative Journal. No bill or resolution having been set for public hearing shall be withdrawn nor the hearing canceled within seven calendar days of the date set for said public hearing.

Sec. 14. State Officials Appearing Before Committees. State officials and department heads or their designees and state employees are encouraged to appear before any legislative committee to comment upon bills having an impact on the operations of the administrative agency or department for which they work.

Sec. 15. Executive Sessions and Closed Meetings. (a) Executive session shall mean any meeting or portion of a meeting which is closed to the general public, and the proceedings of which are not electronically recorded and transcribed, unless the committee so provides, but the records of which shall be available for public inspection. Executive sessions shall be open to members of the news media who may report on action taken and on all discussions in executive session.

(b) All other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.

Sec. 16. Report of Bill to Legislature. (a) In reporting a bill to the Legislature, whether with or without amendments, a committee shall by vote of a majority of its members, recommend that the bill be placed on General File or that the bill be indefinitely postponed.

(b) A report on a bill or resolution must be made to the Legislature within eight calendar days after the committee has taken final action upon the particular measure. Final action shall mean an affirmative vote of a majority of the committee members to advance a bill to General File with or without committee amendments or an affirmative vote of a majority of the committee members to indefinitely postpone the bill. A committee may reconsider any final action prior to the committee making a report on the bill or resolution to the Legislature, provided the reconsideration takes place within eight calendar days of the final action.

(c) No bill shall be reported by the committee to be placed on General File unless the amendments, if any, are approved as to form and draftsmanship by the Bill Drafter.

Sec. 17. Indefinitely Postponed Bills. If the committee action on a bill be to postpone indefinitely, the bill shall stand indefinitely postponed; except that such bill may be placed on General File or referred back to the committee by a three-fifths vote of the elected members upon motion made within three legislative days after the committee makes its report to the Legislature, or by a two-thirds vote of the elected members upon motion made more than three legislative days after such committee report. Not more than one bill shall be raised from committee on any one motion. A motion to raise cannot be amended to include any other bill or subject matter. A motion to raise must be disposed of by the Legislature within five legislative days after the motion is available for consideration or it shall be deemed defeated.

Sec. 18. Committee Statement. (a) The chairperson of each committee with the assistance of the legislative staff shall, when reporting a bill, submit with such bill a committee statement which shall contain, but need not be limited to, the following information:

(1) the one-line title and number of the bill;
(2) a roll call vote of final committee action taken on the bill;
(3) the date of the public hearing on the bill;

(4) a list of all individuals testifying for and against the bill and any organization they represent;
(5) a summary of the bill's purpose and a description of all major provisions for change in the bill as written and as amended by the committee;
(6) if committee amendments are to be introduced, a copy of the amendments and an explanation thereof.

(b) A copy of the proposed statement shall be distributed to each committee member within five days after final action on the bill has been taken by the committee. A minority or concurring statement bearing the signature or signatures of its proponents and setting forth objections to the bill, to proposed amendments, or to the majority statement may be filed by its author(s) with the Clerk of the Legislature at any time prior to the first hearing of the bill on General File.

(c) A copy of the committee statement and any minority statements submitted shall be distributed to each senator after filing with the Clerk of the Legislature. Copies of such statements shall be made available to the public.

Sec. 19. Request From Committee, Bills Held. (a) Except for the general appropriation bills necessary for the support of the state government for the biennium, the Legislature may, by vote of a majority of the elected members, request a status report from any committee at any time after said committee shall have been in possession of a bill or resolution for twenty legislative days.

(b) Any senator may move that a bill be placed on General File twenty calendar days or more after the committee hearing, if the committee has not taken final action on the bill, and by a vote of a majority of the elected members, said bill shall be placed on General File. Final action taken by the committee following a motion filed pursuant to this subsection, and prior to when debate is initiated on the motion by the Legislature, shall take precedence over such motion. If, at the expiration of eight calendar days from the date final action was taken, the chairperson has not reported the bill, any senator may file with the Speaker a motion that the chairperson be compelled to submit a report. After determining that final action on the bill has been taken at least eight calendar days prior to the date the motion was submitted, the Speaker shall accept the motion and compel the chairperson to file the committee's report on the matter.

(c) Any time any member attempts to take a bill from committee to be placed on General File, the bill shall stand indefinitely postponed and shall not be subject to reconsideration if the motion fails to receive a majority vote of the members elected to the Legislature. The introducer of the bill must concur with any motion offered under this rule.

Sec. 20. Subpoena Procedure. It is within the inherent power of any legislative committee to gather information pursuant to its regular functions, and to conduct investigations of matters within its subject-matter jurisdiction.

A committee's power of subpoena should not be exercised unless the committee has determined that no other method of securing the desired information would be successful or practicable, and that the matter is of primary importance to the welfare of the State of Nebraska.

A committee of the Legislature conducting an investigation and gathering information, whether pursuant to legislative direction or pursuant to its regular functions of oversight and bill preparation, shall observe the following procedures in addition to regular committee procedures whenever subpoenas are issued:

(A) Issuance of Subpoenas.

(i) A committee may, by a majority vote of all of its members taken at a meeting properly called, issue a subpoena requiring a person to appear before the committee and be examined in reference to any matter within the scope of the inquiry or investigation being conducted by the committee, but only when the committee has received prior approval by a majority vote of the Executive Board to issue subpoenas in connection with the specific inquiry or investigation in question.

(ii) The committee may, in the same manner, issue a subpoena or subpoena duces tecum requiring any person to appear before the committee and bring with him or her any books, papers, or other documents pertinent thereto.

(iii) While the Legislature is in session, a committee deciding to issue subpoenas must promptly report each issuance to the Legislature. A record shall be made in the Journal reflecting the date the subpoena was issued, to whom it was issued, for what purpose it was issued, and the date on which testimony or production of documents is to take place. Under extraordinary circumstances, the identity of the person subpoenaed may be withheld from publication if necessary to protect the safety of an individual or the confidentiality of the matters to be heard.

(iv) A person subpoenaed to attend a hearing of a committee shall receive the same fees and allowances as a person subpoenaed to give testimony in an action pending in a court of record.

(B) Notice to Witnesses.

(i) Service of a subpoena requiring the attendance of a person at a hearing of a committee shall be made in the manner provided by law for the service of subpoenas in civil actions at least seven days prior to the date of the hearing unless a shorter period of time is authorized by a majority vote of all of the members of the committee in a particular instance when, in their opinion, the giving of seven days' notice is not practicable; but if a shorter period of time is authorized, the person subpoenaed shall be given reasonable notice of the hearing, consistent with the particular circumstances involved.

(ii) Any person who is served with a subpoena to attend a hearing of a committee shall also be served with a copy of the act defining the purpose of the committee, a copy of the rules under which the committee functions, a general statement informing him or her of the subject matter of the committee's investigation or inquiry, and a notice that he or she may be accompanied at the hearing by counsel of his or her own choosing.

(C) Conduct of the Hearing.

(i) No committee which has issued a subpoena directing a witness to appear at a hearing shall question the witness unless a quorum is present throughout the questioning.

(ii) The hearing shall be public unless the committee, by a majority vote of all of its members, determines that a hearing should not be open to the public in a particular instance, due to rare and extraordinary circumstances consistent with Legislative Rule 3, Section 15(b) regarding closed meetings.

(iii) The chairperson of the committee shall preside at all hearings and shall conduct the examination of witnesses himself or herself or supervise the examination by other members of the committee. The committee may, by a majority vote of all its members, authorize the questioning of a witness by the committee's counsel or by special counsel.

(D) Right to Counsel and Submission of Questions.

(i) Every witness at the hearing may be accompanied by counsel of his or her own choosing, who may advise the witness of his or her rights, subject to reasonable limitations which the committee may prescribe to prevent obstruction of or interference with the orderly conduct of the hearing.

(ii) Any witness at the hearing, or a witness' counsel, may submit to the committee proposed questions to be asked of the witness or any other witness relevant to the matters upon which there has been any questioning or submission of evidence, and the committee shall ask such of the questions as it deems appropriate and relevant to the subject matter of the hearing.

(E) Testimony.

(i) The committee shall cause a verbatim record to be made of all proceedings in which testimony or other evidence is demanded or offered, which record shall include rulings of the chair, questions of the committee and its counsel, the testimony or responses of witnesses, sworn written statements submitted to the committee and read into the record, and such other matters as the committee or its chair may direct.

(ii) All testimony given or offered at the hearing shall be under oath or affirmation if the witness has been subpoenaed, and in other cases if a majority of the committee members present at the hearing so decide.

(iii) The presiding member at the hearing may direct a witness to answer any relevant question or furnish any relevant book, paper, or other document, the production of which has been required by subpoena duces tecum. Unless the direction is overruled by a majority vote of the committee members present, disobedience shall constitute a contempt.

(iv) A witness at the hearing or his or her counsel, with the consent of a majority of the committee's members present at the hearing, may file with the committee for incorporation into the record of the hearing sworn written statements relevant to the purpose, subject matter, and scope of the committee's investigation or inquiry.

(v) Testimony and other evidence given or offered at a hearing closed to the public shall not be made public unless authorized by a majority vote of all of the members of the committee, which authorization shall also specify the form and manner in which the testimony or other evidence may be released.

(vi) A witness at a closed hearing, upon request and at his or her own expense, shall be furnished a transcript of his or her testimony at the hearing.

(F) Interested Persons.

(i) Any person whose name is mentioned or who is otherwise identified during the hearing and who, in the opinion of the committee, may be adversely affected thereby, may, upon his or her request or upon the request of any member of the committee, appear personally before the committee and testify in his or her own behalf, or, with the committee's consent, may file a sworn written statement of facts or other documentary evidence for incorporation into the record thereof.

(ii) Upon the consent of a majority of its members, a committee may invite any other person to appear at a hearing or submit a sworn written statement of facts or other documentary evidence for incorporation into the record thereof. No invitation to appear, and no request to appear, appearance, or submission of evidence shall limit in any way the committee's power of subpoena.

(iii) Any person who appears before a committee pursuant to this section shall have all the rights, privileges, and responsibilities of a witness provided to all other witnesses.

(G) Contempt.

A person shall be in contempt if he or she:

(i) Fails or refuses to appear in compliance with a subpoena or, having appeared, fails or refuses to testify under oath or affirmation;

(ii) Fails or refuses to answer any relevant question or fails or refuses to furnish any relevant book, paper, or other document subpoenaed by or on behalf of a committee; or

(iii) Commits any other act or offense against a committee which, if committed against the Legislature, would constitute a contempt.

The chairperson of a committee may apply to the Legislature or, during the interim, to the district court of any county to compel obedience by proceedings for contempt.

(H) Penalties.

(i) A person guilty of contempt under the provision of these rules shall be subject to punishment pursuant to RRS 50-105 and 50-106 during the session, or to RRS 50-407 when the Legislature is not in session.

(ii) If a committee fails in any material respect to comply with the requirements of these rules, any person subject to a subpoena or a subpoena duces tecum who is injured by such failure shall be relieved of any requirement to attend the hearing for which the subpoena was issued or, if present, to testify or produce evidence therein; and such failure shall be a complete defense in any proceeding against such person for contempt or other punishment.

(iii) Any member or employee of the Legislature, other than the witness concerned or his or her counsel who knowingly violates subsections of these rules concerning the publication of testimony taken at a closed hearing, shall be in contempt of the Legislature or, if a member of the Legislature, shall be subject to sanction or suspension according to the statutes governing the Legislature. The Speaker on his or her own motion or on the application of any person claiming to have been injured or prejudiced by an unauthorized disclosure may institute proceedings for the determination of the issue and for the imposition of penalties provided herein. Nothing in this subsection shall limit any power which the Legislature may have to discipline a member or employee or to impose a penalty in the absence of action by a prosecuting officer or court.

(I) Limitation of Rules.

Nothing contained in this section shall be construed to limit or prohibit the acquisition of evidence or information by any committee by any lawful means not provided for herein.

RULE 4–RESOLUTIONS

Section 1. Identification. A resolution shall be designated as Legislative Resolution _____. All resolutions shall be numbered consecutively for each Legislature. All resolutions shall be introduced and read by the Clerk upon introduction and shall be printed in the Legislative Journal. Individual members shall be limited to eight resolutions per session. This limitation shall not apply to resolutions proposing an amendment to the Nebraska Constitution or to resolutions proposing interim studies.

73-74 Attorney General Opinion No. 13--Resolutions must be printed and read before a vote is taken.

Sec. 2. When Considered as a Bill. Resolutions which propose amendments to the state constitution, propose the ratification or rejection of amendments to the federal Constitution, or memorialize the Congress with regard to amendments to the U.S. Constitution, shall be considered and adopted in the same manner as bills.

Const. Art. III, Secs. 13, 14; Art. IV, Sec. 15; Art. XVI, Sec. 1.
Cannot appropriate funds by resolution. Const. Art. III, Sec. 25.

Sec. 3. Study Resolutions: Introduction; Referral; Standing Committees; Select Committees; Results. (a) Any senator or committee may introduce resolutions proposing interim studies. The resolutions shall be submitted to the Clerk of the Legislature on a form prescribed by the Clerk, printed in the Journal, and referred to the Executive Board.

(b) Study resolutions may be introduced up to and including the 80th legislative day in odd number years and the 50th legislative day in even number years. However, each standing committee may introduce one additional study resolution prior to adjournment sine die. The Executive Board shall refer the study resolutions to the appropriate standing committees or to select interim committees created by it to conduct such studies.

(c) Study resolutions shall be prioritized by the chairperson of the committee to which they are referred, and a report on those priorities shall be filed with the Clerk, on a form prescribed by the Clerk, prior to adjournment sine die. Also, the chairperson of each committee shall file with the Clerk, on a form prescribed by the Clerk, his or her committee's study plan for the highest prioritized interim studies referenced to such committee. This study plan shall be filed no later than thirty days after adjournment sine die. Unless otherwise agreed to, staff to interim studies conducted by standing committees shall be headed by the respective committee counsels. Legislative aides whose senators serve on such standing committees and legislative aides of other interested senators may be invited by the respective committee counsels to participate as staff in the conduct of the interim studies. The provisions of this section shall in no way limit the standing committees in their traditional prerogatives to conduct hearings and oversee matters and agencies that are within their subject matter jurisdiction.

(d) The Executive Board may, on its own behalf, conduct interim studies or create select interim committees to do so. Before creating a select interim committee, the Board shall consider whether the subject matter proposed for study by such a committee lies within the jurisdiction of one or more standing committee. To the extent possible, the jurisdiction of a select interim committee created by the Board shall be limited to subject matters that do not lie wholly within the jurisdiction of one or another standing committee. Membership on a select interim committee shall, to the extent possible, include senators who are both interested in serving on such a committee and are from the standing committees that have the most direct concern with the subject matter proposed for study. Select interim committees shall meet no later than five legislative days prior to adjournment sine die to organize and to review study plans. Staff to select interim committees shall be drawn from the Legislature's division staffs (e.g., fiscal, research, bill drafting), be based upon a joint plan submitted to the Executive Board by the division directors, may include other interested legislative staff, and shall be coordinated by the Legislative Research Division, and the chairpersons of the standing committees involved with the select interim committee.

(e) The Executive Board shall retain its traditional prerogatives to consider and refer study proposals arising from extraordinary circumstances after the deadlines established in this section.

(f) The chief sponsor of a study resolution, if not otherwise a member of the committee to which the resolution is referred, shall be an ex officio member of the committee during and only for the conduct of the study.

(g) On or before December 1 of each year, each standing and select interim committee shall file a report, on a form prescribed by the Clerk, with the Executive Board on the disposition of the study resolutions referred to them. These reports shall be printed in the Journal at the beginning of the next session of the Legislature.

(h) The results or final reports of studies conducted by standing committees may be prepared in a format of their choosing. Nine copies of each completed standing committee report shall be filed with the Legislative Reference Library. The results or final reports of studies conducted by select interim committees shall be prepared and published in a format prescribed by the Legislative Research Division, and copies of such studies will be indexed and filed with the Legislative Reference Library.

RRS 50-404.

Sec. 4. Enrollment and Review, Amended Resolutions. All resolutions, if amended, shall pass through the process of Enrollment and Review in the regular course of their consideration.

Sec. 5. Vote Required for Adoption. (a) All resolutions shall be adopted, individually or in groups as determined by the Speaker, by an affirmative vote of a majority of the members present and voting except for those specified in Section 2; Provided, upon the request by any member prior to the commencement of the vote, a resolution shall require an affirmative vote of a majority of the elected members. Resolutions specified in Section 2 shall be considered and adopted in the same manner as bills.

(b) Any resolution which is congratulatory in nature or which expresses the condolences of the Legislature shall be presumed adopted if, after five calendar days, following its being listed once on the daily agenda with a notation that such resolution is eligible for adoption pursuant to this rule, no member has requested that the resolution be scheduled for debate on the Speaker's agenda.

Sec. 6. Resolutions, Lay Over Requirement. Resolutions shall lay over for consideration at least one legislative day after introduction.

Sec. 7. Engrossed Resolutions. Only those resolutions specified in Sections 2 and 3 of this rule shall be engrossed unless otherwise ordered by the Legislature or unless the Clerk determines the nature of the resolution is such that upon its adoption it must be engrossed to properly achieve the purpose for which it was presented. All resolutions which are engrossed shall be enrolled and signed by the Lieutenant Governor or Speaker and certified to by the Clerk as to the date of final passage.

Const. Art. III, Sec. 14.

Sec. 8. Reference to Committee. Resolutions other than those covered by Sections 2 and 3 of this rule shall upon the recommendation of the Speaker of the Legislature be referred to the Reference Committee for referencing to the appropriate committee.

Sec. 9. Reviving Resolution Killed by Committee. If the standing committee report on a resolution be to postpone indefinitely, the resolution shall stand indefinitely postponed; Provided, that such resolution may be considered by the members of the Legislature if a majority vote of the elected members so direct, provided the motion is made within three legislative days after the committee makes its report to the Legislature. A motion to raise cannot be amended to include any other resolution or subject matter. The provisions of this section shall not apply to resolutions considered as bills pursuant to Rule 4, Section 2.

Sec. 10. Committee Statement. A committee, when reporting out a resolution, shall attach thereto a statement setting forth what is sought to be accomplished and the committee vote. The statement shall be set out in full in the Journal.

RULE 5--BILLS--GENERAL PROVISIONS

Section 1. Drafting of Bills. The Bill Drafter shall prepare all bills and amendments in proper form when requested by members of the Legislature, newly elected members of the Legislature, or heads of executive departments. No bills or major amendments shall be introduced or considered unless the same has been approved as to form and draftsmanship by the Bill Drafter. In order to shorten the length of sections, the Bill Drafter shall, in the drafting of new sections, make each paragraph a separate section except when to do so would be contrary to sound bill drafting practice. The Bill Drafter shall make available a continuing compilation of sections to which amendments are proposed so as to reduce unnecessary duplication of bills. This section index of bills drafted shall be available to all senators, newly elected senators, and other persons entitled to have bills drafted. After January 1 of each year no bill shall be drafted by the Bill Drafter unless requested or authorized by a member of the Legislature.

Sec. 2. Content and Form of Bills. (a) A bill shall be designated as Legislative Bill _____.

Style of bill. Const. Art. III, Sec. 13.

(b) No bill shall contain more than one subject and the same shall be clearly expressed in the title. No law shall be amended, unless the new act contains the section or sections as amended, and the section or sections so amended shall be repealed.

Const. Art. III, Sec. 13.

(c) An amendatory bill or constitutional provision shall be so prepared and printed as to show the new matter proposed, old matter to be retained, and old matter to be omitted from the statutes or constitution.

(d) Appropriations bills and "A" bills shall contain the following elements:

(1) the phrase "there is hereby appropriated";

(2) a specific fund type shall be identified and the fund shall be appropriated;

(3) the amount to be appropriated from such fund shall be identified;

(4) a specific budget program or a specific statement reflecting the purpose for expending such funds shall be identified; and

(5) the time period during which such funds shall be expended shall be identified.

RRS 49-804.

Sec. 3. Revisor Correctional Bills, Preprinting. (a) Preceding each legislative session, the Chairperson or any member of the Executive Board of the Legislative Council, or if the Executive Board so requests, the senator who, in the preceding session served as Chairperson of the Judiciary Committee, shall sign as introducer the Revisor of Statutes' correctional bills. The Clerk of the Legislature shall number these bills consecutively beginning with number 1 and shall show the committee reference to be General File. The Clerk of the Legislature shall have these bills printed before the convening of the next regular session.

(b) In addition to causing to be printed the revisor bills, the Clerk shall number and cause to be printed all bills delivered to him or her by the Executive Board, provided said Board has referred said bills to a standing committee. No bill so printed shall be withdrawn until after the Legislature convenes.

Sec. 4. Introducers Signing Bills. (a) Members shall introduce only such bills as they are willing to endorse and support personally. The last name and district shall be used, unless an initial or name is necessary to identify the introducer. Any member may request to have his or her name added as cointroducer of a bill but only if the principal introducer has concurred, in writing, to that request.

(b) A standing committee or special committee may introduce a bill for any purpose, including at the request of another senator, provided said bill receives the endorsement of a majority of the committee members whose names shall be on the bill.

(c) No bill shall be introduced after the tenth legislative day of any session, except:
1. "A" bills, appropriation bills, and bills introduced at the request of the Governor may be introduced at any time;
2. A standing committee or special committee may request that the Legislature consider introduction of a bill. A vote of three-fifths of the elected members of the Legislature shall be required for such bill to be introduced, and a copy of the statement of intent for such bill must be placed on each member's desk before introduction of the bill is voted upon.

(d) Individual members shall not be limited as to bill introduction. Each committee shall be limited to 8 bills each session. Bills introduced as a result of an interim study of the Legislative Council shall be included within the limitations prescribed by this section. Special committees created as a result of an interim study resolution and as authorized by the Executive Board shall be considered as separate committees for purposes of the limitations prescribed by this section. Bills introduced under Rule 5, Section 3(a) and bills introduced at the request of the Governor will not be included in the limitation.

(e) The introducers of all bills must submit a statement of intent for each bill to the appropriate committee chairperson at least 24 hours prior to the bill's hearing. The statement of intent should discuss clearly and completely the purposes and effects of the bill.

Sec. 5. Scheduling of Bills, Priority Bills. (a) Each senator may designate one bill as a priority bill. Such priority bill need not be the designator's bill, but the principal introducer must concur with the designation as a priority bill and with the withdrawal of the designation once made.

(b) Each chairperson of those committees which are authorized to hold public hearings on bills may designate as priority bills two of the bills referenced to that committee and on which the committee has held a public hearing.

(c) The Speaker may designate up to 25 additional priority bills.

(d) Priority bill designations may be made at any time prior to the annual designation deadline which shall be set each year by the Speaker. The designation deadline shall be prior to the 45th legislative day in the ninety day session and prior to the 30th legislative day in the sixty day session.

(e) A senator or committee may withdraw a priority designation at any time, but will not be allowed to designate another bill as a priority bill in its place. The Speaker may withdraw a priority designation made by the Speaker.

(f) All committees shall schedule priority bills for public hearing ahead of all unscheduled, nonpriority bills unless the person or committee making the priority designation shall otherwise agree.

(g) All bills not designated as priority bills shall be heard on General File in the order in which they are reported to the floor by the committees, unless the introducer of the bill and the Speaker agree to delay the hearing of a particular bill. This provision shall not be construed to prevent the Speaker from placing bills reported out of committee with two or less dissenting votes on a consent calendar. Any bill placed on consent calendar shall be removed at the written request of three or more senators.

(h) Priority bills shall generally be considered ahead of all other bills at each stage of debate, except as provided for in Rule 1, Section 17. Priority bills requiring the expenditure of appropriated funds shall be held on Final Reading until such time as the annual appropriations bills have been passed. A priority bill which fails to advance after two votes on General File, or after one vote on Select File, shall return to nonpriority status.

(i) No priority bill designated under this rule shall have priority over appropriations bills.

Sec. 6. Fiscal Analyst. (a) A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state, county, or municipal expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note to be attached to each bill prior to its public hearing by a committee, or its first consideration on General File if the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill and the governmental subdivision affected by the fiscal impact as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact shall be heard by a committee or considered on General File unless the fiscal note is attached.

(b) In determining the fiscal impact of any bill, the Legislative Fiscal Analyst shall request the appropriate department or other entity of state government or subdivision thereof, or appropriate association which will be affected by the bill, to prepare the fiscal note within five calendar days.

(c) The Legislative Fiscal Analyst shall review the fiscal note so prepared and shall also request a review of such fiscal note by the Budget Division of the Department of Administrative Services. The statement by the Budget Division of the Department of Administrative Services shall be attached to and become a part of the fiscal note. The Legislative Fiscal Analyst shall include in the fiscal note any exceptions to the conclusions of the department or other entity and of the Budget Division of the Department of Administrative Services.

(d) The fiscal note shall be delivered by the Legislative Fiscal Analyst to the Clerk at least twenty-four hours prior to the public hearing on the bill or, in the event the bill is referred directly to General File, twenty-four hours prior to the first consideration of the bill on General File. The Clerk shall present the fiscal note to the principal introducer. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the principal introducer an unofficial summary of all available fiscal information on the bill by this deadline and deliver to the Clerk the fiscal note when it is available. The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.

(e) When amendments to a bill are adopted by the Legislature and such amendments would change the fiscal impact of the bill, the appropriate changes shall be made in the fiscal note each time the bill is advanced to Enrollment and Review or upon the written request of a member of the Legislature.

(f) When any bill proposes adoption of a new program or change of an existing program either of which would require an appropriation to implement in the ensuing fiscal year, an appropriation bill for the purposes of funding the provisions of such bill shall be prepared from the information contained in the fiscal note. Such appropriation bill shall be prepared at the direction of the Chairperson of the Appropriations Committee. Such bill shall be placed on General File and considered as introduced by the introducer of the original bill or by the committee which offered the amendments creating the expenditure, and shall bear the number of the original bill with the letter "A" added, and shall accompany the original bill through all stages of the legislative process. All bills for which an "A" bill is prepared shall be bracketed on Final Reading until the "A" bill is advanced to Final Reading.

(g) The authorization bill shall first be considered and if it should be passed on Final Reading then the "A" bill shall be read and voted on for final passage.

(h) The fiscal note shall be factual in nature, as brief and concise as may be, and shall, if possible, provide a reliable estimate in dollars and, in addition, it shall include both the immediate effect and, if determinable or reasonably foreseeable, the long range effect of the measure. If, after investigation, it is determined that no dollar estimate is possible, the fiscal note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given.

(i) No comment or opinion shall be included in the fiscal note with regard to the merits of the measure for which the note is prepared, however, technical or mechanical defects may be noted.

(j) The subject matter of bills submitted to boards, commissions, departments, agencies, or other entities of the state by the Fiscal Analyst shall be kept in strict confidence by said agencies and by the office of Fiscal Analyst together with the content of the fiscal note itself and no information relating thereto shall be divulged by any official or employee prior to its introduction in the Legislature.

(k) To implement the provisions of and assure compliance with Art. III, Sec. 22 of the Nebraska Constitution (deficiency appropriations), and Art. IV, Sec. 7 of the Nebraska Constitution (appropriations in excess of Governor's request), the Appropriations Committee shall advise the Legislature of the number of votes required to assure passage of the same.

For creation of position. RRS 50-418.
For duties of position. RRS 50-419.

Sec. 7. Governor's Budget Bill. The budget bill prepared by the Governor shall be shown as introduced by the Speaker of the Legislature at the request of the Governor.

Governor's budget message. Const. Art. IV, Sec. 7.

Sec. 8. Reading Title of Bills, Printing. Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member. The bill and all amendments thereto shall be printed and presented before the vote is taken upon its final passage and shall be read at large unless three-fifths of all of the members elected to the Legislature vote not to read the bill and all amendments at large.

Const. Art. III, Sec. 14.

Sec. 9. Engrossment of Bills. All bills, before being advanced to Final Reading and passage, shall be engrossed, and copies thereof showing new and stricken matter shall be made available to members.

Sec. 10. Expenditure of Legislative Funds. Those expenditures on which the Legislature votes shall require the approval of the majority of the elected members.

Sec. 11. Withdrawal of Bills. No bill, having been introduced, may be withdrawn except upon motion of the first introducer with the consent of his or her cointroducers. Such motion, when made, shall not be considered prior to the next succeeding legislative day, and, for its adoption, shall require the affirmative vote of a majority of those voting upon the question.

Withdrawal of bills set for hearing. Rule 3, Section 13.

Sec. 12. Division of Bills, Prohibited. No bill shall be divided into two or more bills.

Sec. 13. Holding of Bills. Unless otherwise disposed of, all bills on which no final action has been taken by the time of adjournment of the regular session in odd-numbered years shall be held over for consideration at the regular session convening in even-numbered years.

Sec. 14. Public Retirement Plans and Actuarial Studies. (a) Commencing with the 1997 legislative session, any bill proposing a structural change which impacts the benefits or funding status provided under a public retirement plan, or any bill proposing the creation of a new public retirement plan, shall be introduced only during the first ten days of a 90 day session.

(b) No bill for which an actuarial study is necessary to determine the cost of such proposed changes shall be enacted until an actuarial study has been conducted and the results reported to the Legislature.

(c) (i) The Nebraska Retirement Systems Committee may introduce amendments to an appropriations bill to fund actuarial studies for only those retirement systems which are or would be administered by the state. If such amendments are enacted, the results of the actuarial studies shall be reported to the Legislature by November 15 of that calendar year.

(ii) Actuarial studies required for changes to other public systems under the jurisdiction of the Nebraska Retirement Systems Committee but not administered by the state shall not be funded by the state.

RULE 6--BILLS--STAGES OF CONSIDERATION

Section 1. Introduction of Bills. Starting with regular sessions in odd-numbered years, bills shall be numbered consecutively starting with the number 1. Bills introduced in regular sessions in even-numbered years shall start with the number following the number of the last bill introduced in the preceding regular session of an odd-numbered year, (bills introduced in any special session shall start with the number 1) and shall be numbered consecutively as read by the Clerk. After introduction, bills requiring reference shall be delivered to the Reference Committee.

Sec. 2. Objection to Reference of Bills. (a) Any member may object to the reference of any bill or other proposition, and correction in case of error in reference may be made by the Legislature by unanimous consent, or by the vote of a majority of the elected members.

(b) Those bills and resolutions placed on General File by the Reference Committee will be bracketed for five calendar days, and if one senator requests a public hearing on one or more of these matters, they will then be referred to a committee. Bills on General File for which public hearings have not been requested will be handled as all bills on General File.

Sec. 3. General File. (a) The Clerk of the Legislature shall read the number and the title of the bill and the name of the principal introducer as it comes up for consideration on General File. A bill will not be read section by section unless requested by a member of the Legislature.

(b) Each section shall be open to amendment. Following the reading of the title of the bill, the introducer shall first be recognized for ten minutes to move to advance and explain the bill. The amendments, if any, recommended by standing committees, shall then be considered. The introducer's amendments, if any, shall be considered following the consideration of the standing committee amendments and any amendments thereto. Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3 and Rule 1, Section 17.

(c) Bills shall be listed and considered on General File in the order in which they shall be reported from the standing committees, except as modified by the Speaker; Provided, that any bill that comes up for debate for a second time, with the introducer present, shall be placed by the Clerk at the bottom of General File if said introducer asked for further time, unless otherwise directed by the Speaker.

Speaker determine order of bills. Rule 1, Section 16.

(d) During consideration of bills on either General or Select File, any member may move that the bill be passed over once and if the motion is carried by a majority of those voting, the bill shall be passed over and shall retain its place on the file.

(e) At any stage of consideration of a bill, a motion to bracket or to bracket to a day certain or to unbracket shall, if made by the primary introducer of the bill, require a majority of those voting. If made by other than the primary introducer, there shall then be required a majority vote of the elected membership. In any event, such motions shall alternatively be passed by unanimous consent of the body.

(f) In the event a motion to indefinitely postpone a bill is made before the bill is read on General File, such motion shall require the affirmative vote of a majority of the elected members.

(g) In the event a bill has become substantially a new and different bill by reason of amendments having been adopted, the Speaker may refer said bill to the Reference Committee who must refer the said bill to a proper committee for a public hearing; Provided, that a majority of the elected members may overrule the decision of the Speaker.

(h) If, in the opinion of the Speaker, the bill is in such form that it should properly be referred back to committee for further action, he or she may by order direct the same; Provided, that a majority of the elected members may overrule the decision of the Speaker. Any motion to amend a bill or any motion to amend an amendment shall require a majority vote of the elected members, except amendments which are substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members, unless proposed as part of a committee amendment.

(i) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Initial after three attempts shall be indefinitely postponed.

The following votes shall be required to adopt the following motions affecting bills on General File:

MEM--Majority of Elected Members;
MTV--Majority of Those Voting.

GENERAL FILE

		Rule-Sec.
On introduction of bill		
Withdraw bill	**MTV**	**5-11**
On consideration of bill on General File		
Move to pass over	**MTV**	**6-3d**

Move to change order	**3/5**	**1-16**
Move to indefinitely postpone before bill is read	**MEM**	**6-3f**
Move to indefinitely postpone after bill is read	**MTV**	
Move to advance to E & R for review	**MEM**	**6-4**
Move to return to committee	**MEM**	
Move to reconsider		
(within one legislative day thereafter)	**MEM**	**7-7a**
(if after one legislative day, by suspension of the rules only)	**3/5**	**7-7a**
Move to amend	**MEM**	**6-3h**
Move to amend the amendment	**MEM**	**6-3h**
Move to withdraw bill by first introducer	**MTV**	**5-11**
If returned from Select File		
Motion to amend	**MEM**	**6-5e**
Motion to advance	**MEM**	**6-4**
Defeated bill, motion to reconsider	**MEM**	**7-7**

Sec. 4. Enrollment and Review. Bills when advanced to Enrollment and Review shall be reviewed for recommendations relative to arrangement, phraseology, and correlation. Advancement to Enrollment and Review from General File for such purpose shall require a majority of the elected members. A motion to return to General File from Enrollment and Review shall, for adoption, require the concurrence of a majority of the elected members.

Sec. 5. Select File. When the Legislature considers bills on Select File, any of the following motions shall be in order.

(a) A motion to approve or reject any or all of the changes recommended by the Chairperson of Enrollment and Review.

(b) A motion to adopt an amendment to a bill or an amendment to an amendment which shall require a majority vote of the elected members, except amendments which are substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members.

(c) A motion to recommit to the proper standing committee.

(d) A motion to postpone indefinitely.

(e) Motions made pursuant to subsections b, c, and d hereof may be adopted only upon the affirmative vote of a majority of the elected members.

(f) Amendments recommended by Enrollment and Review shall not be read by the Clerk except upon the request of a member of the Legislature.

(g) Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific Enrollment and Review Committee amendments may be considered.

(h) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Final after two attempts shall be indefinitely postponed.

The following votes shall be required to adopt the following motions affecting bills on Select File:

SELECT FILE

		Rule-Sec.
Motion to advance to E & R for engrossing if machine vote requested	**MEM**	**2-1**
Motion to act on E & R amendment	**MTV**	**6-5a**
Motion to amend	**MEM**	**6-5b**
Motion to recommit to a standing committee	**MEM**	**6-5c**
Motion to indefinitely postpone	**MEM**	**6-5d**
On bill returned from E & R for engrossing & Final Reading		
Motion to return for specific amendment	**MEM**	**6-6**
Motion to adopt specific amendment	**MEM**	**6-6**

Sec. 6. Return to Select File. (a) On a motion to return a bill to Select File for a specific amendment, a majority of the elected members must concur. No other amendment shall be considered when the bill is so returned. Such amendment when considered may be adopted by a majority vote of the elected members, except an amendment which is substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members.

(b) A point of order to determine the germaneness of a specific amendment may be considered during a motion to return a bill to Select File for specific amendment.

Sec. 7. Final Reading. No bill shall be voted on for final passage until:

(a) After five legislative days following the introduction of the bill.

(b) One legislative day after its reference to Final Reading.

(c) Printed copies of the bill in its final form, as amended, shall have been available to members and on their desks for at least one legislative day.

Const. Art. III, Sec. 14.

Sec. 8. Final Reading, Motions. (a) On Final Reading the bill shall be read at large with all amendments thereto before the vote is taken, unless three-fifths of all of the members elected to the Legislature vote to dispense with the at large reading under this section. The Speaker shall designate on the published agenda which bills will be considered for a vote without an at large reading. This vote shall be taken on each bill individually without amendment, motion, or debate. If the Legislature confirms the Speaker's designation, the title of the bill will be read, and the final vote will be taken with voting being held open for three minutes. If the motion on any bill fails to receive the support of three-fifths of the elected members of the Legislature, then such bill and all amendments thereto will be read at large prior to the vote being taken.

(b) At any time before the roll call shall have begun on Final Reading of the bill, it shall be in order to move:

(1) To recommit the bill to Enrollment and Review to correct an error and for reengrossment.

(2) To recommit the bill to the proper standing committee, with or without instructions.

(3) To recommit the bill to Select File for specific amendment, which amendment may be adopted by a vote of a majority of the elected members.

(4) Any bill returned to Select File for a specific amendment, may if the amendment is rejected, be readvanced to Final Reading without going through Enrollment and Review. A motion to so advance shall require the concurrence of a majority of the elected members.

Members to remain in their seat. Rule 2, Section 3h.
No one to be seated beside member during Final Reading. Rule 2, Section 3e.

RULE 6

The following votes shall be required to adopt the following motions affecting bills on Final Reading:

FINAL READING

		Rule-Sec.
To return to standing committee	**MEM**	**6-8**
To return to E & R to correct an error	**MEM**	**6-8**
To return to Select File for specific amendment	**MEM**	**6-6**
To pass on Final Reading	**MEM**	**6-9**
With emergency clause attached	**2/3**	**6-10**
Creation of state office *Const. Art. IV, Sec. 27*	**2/3**	
Motion to reconsider (when failed on Final Reading)	**3/5**	**7-7**
Override Governor's veto	**3/5**	**6-11**
"A" bills considered		**5-6**

Sec. 9. Question on Final Reading. The question after the Final Reading of a bill shall be: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' " If the emergency clause is contained in the bill, the words "with the emergency clause attached" shall be added to the question.

Majority of elected members required. Const. Art. III, Sec. 13.

Sec. 10. Emergency Clause, Votes Required. When a bill containing the emergency clause does not receive the required two-thirds constitutional majority on Final Reading, then the emergency clause shall be considered stricken, and the bill without the emergency clause shall be pending on Final Reading, and the question then shall be, "Shall the bill pass with the emergency clause stricken?"

Const. Art. III, Sec. 27.

Sec. 11. Governor's Veto, Further Legislative Action. (a) Upon the day of receipt of a message from the Governor announcing his or her veto of a bill, or on any of the next five legislative days in the same annual session, any member may move that the bill so vetoed be taken up for passage in the form presented to the Governor. The Legislature shall decide upon the motion no later than five legislative days, in the same annual session, after receipt of the message from the Governor announcing his or her veto of the bill, whereupon the question shall be, "Shall the bill pass notwithstanding the objections of the Governor?" No bill vetoed by the Governor shall be taken up by the Legislature for any purpose other than passage of the bill notwithstanding the objections of the Governor or for override of a line-item veto.

Three-fifths vote of the elected members required to pass bill over Governor's veto. Const. Art. IV, Sec. 15. See also Art. IV, Sec. 7.

The Governor may disapprove any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, unless repassed in the manner prescribed in case of disapproval of bills.

Const. Art. IV, Sec. 15.

(b) On the sixth legislative day following the receipt of a veto message, or within five calendar days following the sine die adjournment of a legislative session, the Clerk shall transmit to the Secretary of State all vetoed bills and line-item vetoed bills wherein no motion to override has been offered, or upon which a motion to override has been unsuccessful.

Sec. 12. Bills, Passed Over Governor's Veto. Should the Legislature pass a bill over the objections of the Governor by the necessary constitutional majority, it shall so certify and deposit the same with the Secretary of State.

RRS 84-503.

Sec. 13. Certificates. Whenever the Legislature shall override a line-item veto, on any bill as provided for in Article IV, Section 15, the Clerk of the Legislature shall cause to be placed on such bill a certificate in content and form as provided for in RRS 84-503 and shall list the items so overridden by section, page, and line.

In addition to such certificate, the Clerk of the Legislature shall note on each line, when the Legislature votes to override, a stamp reading "line-item veto overridden" and place thereon the date and his or her initials.

Sec. 14. Appropriations Bills, Procedure After Veto. (a) Whenever the Governor shall have vetoed more than one item in an appropriation bill, the Appropriations Committee shall review said veto and the Chairperson of the Appropriations Committee shall report within one legislative day to the Legislature on it's fiscal implications, and affect on operations. If the Appropriations Committee by majority vote decides to recommend to the Legislature an override of the veto on any portion of such an appropriation bill, the Chairperson of the Appropriations Committee or his/her designee shall first be permitted an opportunity to move that the entire bill become law notwithstanding the line-item veto therein.

(b) If such motion fails or is not offered, the Chairperson of the Appropriations Committee or his/her designee shall then introduce motions to override selected portions of the vetoed bill.

(c) Any member of the Legislature may then offer a motion to override the veto of the bill or any portion thereof if the Appropriations Committee by majority action decides not to recommend overriding the veto of the bill or the veto of that portion of the bill.

(d) It shall require 30 votes of the elected members to amend a veto override motion that includes another line-item veto.

Sec. 15. Constitutional Amendments, Votes Required. When a proposed constitutional amendment does not receive the required four-fifths constitutional majority necessary to submit such proposed amendment to the electors at a special election, then the special election language of the bill shall be stricken, and the bill shall be pending on Final Reading, and the question shall be, "Shall the bill pass providing for the submission of such proposition at the next general election?"

> *Constitutional Amendment. If proposition is to submit amendment to electorate at special election fails to receive 4/5 plurality, then amend bill to provide for general election when adoption is by 3/5 plurality. RRS 49-236.*

RULE 7--PROCEEDINGS AND MOTIONS

(A) Order of Business

Section 1. Meeting Time, Restrictions. (a) The Legislature shall meet annually at 10:00 a.m. on the first Wednesday after the first Monday in January of each year and thereafter on each legislative day at 9:00 a.m., unless otherwise ordered by a majority vote of its members present and voting thereon. The Legislature shall remain in session until it shall adjourn sine die, but in no event shall it remain in session for longer than ninety (90) legislative days in odd-numbered years or sixty (60) legislative days in even-numbered years. This limitation may be suspended by a four-fifths vote of the elected senators. Each day the Legislature convenes shall be considered a legislative day.

Const. Art. III, Sec. 10.

(b) The order of business of the Legislature shall be as follows; except as otherwise provided by the Speaker.

a. Prayer by the Chaplain
b. Roll call
c. Call for correction of the Journal
d. Petitions and memorials
e. Notice of committee hearings and reports
f. Bills on Final Reading
g. Resolutions
h. Introduction of bills and reading by title
i. Consideration of bills on Select File
j. Motions to reconsider
k. Motions to advance bills from committee
l. Other pending motions
m. Unfinished business, including messages on President's desk
n. Consideration of bills on General File
o. Miscellaneous business

(c) Messages from the Governor may be received at any stage of the proceedings.

(d) Upon call for the introduction of bills, any member or any standing committee to which bills are referred for consideration may introduce one or more bills.

Introduction of bills. Rule 6, Section 1.

(B) Voting Machine

Sec. 2. Voting, Electric Roll Call. (a) All votes shall be taken viva voca unless otherwise provided for herein. Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'nay.' "

(b) If a machine vote is called for or if the presiding officer is in doubt, he or she shall cause the result to be obtained by means of the electric roll call system, and in such event shall accept only machine tallied votes except that voice votes shall be accepted on a motion before the house while the house is under call. The presiding officer may vote by voice. Only the totals shall be printed in the Journal. Once having voted aye or nay, senators may call in a change to not voting prior to the locking of the voting board.

(c) Upon the final passage of a bill, or of a resolution if the same required the same consideration as a bill, the vote shall be by yeas and nays, and the electric roll call system shall be used. Voice votes shall be accepted on Final Reading.

(d) Whenever the "ayes" and "nays" are taken by machine vote, no member shall be permitted to vote after the decision is announced by the presiding officer or the Clerk. Votes not registered on the electric roll call system shall not be counted for or against a proposition. In announcing such vote, the Clerk shall announce the ayes, the nays, those present and not voting, those absent and not voting, and those excused and not voting, and on any action to advance or amend bills, these totals shall be set forth in the Journal. Voice votes shall be accepted on roll call or record votes. All roll call votes of the comprised membership shall be taken in alphabetical order starting with the first name that begins with the letter "A" or the letter closest to "A," except that any member may request a roll call vote in reverse alphabetical order unless the introducer of the motion under consideration objects. A roll call in reverse alphabetical order shall start with the member's name that begins with "Z" or the letter closest to "Z."

(e) Only senators physically in the legislative chamber may vote.

(C) Motions

Sec. 3. Motion, in Writing, Withdrawal. (a) A motion shall be either stated by the presiding officer or read by the Clerk before a vote is taken. All motions shall be submitted in writing if requested by the presiding officer or any senator.

Once motions are stated they may be withdrawn or modified by the mover before a decision, amendment, or ordering of a vote has been made. A motion to reconsider may be withdrawn only with unanimous consent or a majority vote of the elected members.

When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated.

a. To recess
b. To adjourn
c. For cloture
d. To reconsider
e. For the previous question
f. To postpone to a time certain
g. To recommit to a committee
h. To amend
i. To postpone indefinitely

Such motions shall have precedence in the order in which they are arranged except as provided for in Rule 1, Section 17. Motions to postpone indefinitely and amend do not yield to each other.

When any of the following motions shall be made, any action on such motion shall be delayed at least one legislative day and the motion shall be printed in the Legislative Journal:

a. Motion to postpone indefinitely on General File or Select File, unless the introducer(s) of the bill, or the committee chairperson in the case of committee bills, request(s) that the motion to postpone indefinitely be considered immediately without the one day delay.
b. Motion to place on General File pursuant to Rule 3, Section 19(b).
c. Motion to place bills on General File, notwithstanding the action of a standing committee.

(b) When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

(c) Amendments to the title shall be made by the Enrollment and Review Committee.

(d) No motion, proposition, or subject, different from that under consideration, shall be admitted under color of amendment. Any amendment that is not germane is out of order. Germane amendments relate only to details of the specific subject of the bill and must be in a natural and logical sequence to the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject.

(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert. Such call for division shall not be allowed when considering motions under Rule 6, Section 6.

(f) When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be considered first.

Sec. 4. Shall the Debate Cease. The previous question shall be in this form, "Shall the debate now close?"

The previous question shall be made only in the normal course of speaking order and shall be in order when demanded by five or more members, and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in this section of this rule, preclude further debate and all amendments and motions, except one motion to adjourn. The presiding officer may rule the previous question out of order if in the presiding officer's opinion a full and fair debate has not been afforded, due to the complexity of the subject matter. The ruling of the presiding officer shall be subject to overrule in accordance with Rule 1, Section 12 of these rules.

On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

When the previous question shall have been ordered on a proposition under debate, the mover, proponent, or introducer of such proposition shall be given the right to close the debate thereon.

After a motion to indefinitely postpone a bill has been offered, and the introducer of the motion has made his or her opening remarks on the motion, the principal introducer of the bill shall immediately be permitted to speak for five minutes on such motion.

Sec. 5. Call of the House. (a) A call of the house may be made by any member in the manner following: "I move for a call of the house." The presiding officer shall direct that the board be cleared and the members shall then vote on placing themselves under call. If a majority of the senators present and voting, vote in favor of such a motion, then the Legislature shall be deemed to be under call. Each member present shall indicate his or her presence upon the electric roll call system and shall remain in his or her seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members then present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members elected. The President may declare a motion to place the house under call out of order if all of the absentees were to vote on one side of the question and if their combined vote would be insufficient to change a result of the vote.

(b) When a member is recognized to close on a motion and requests a call of the house, the time spent waiting for the members to record their presence shall be counted against the member's closing time.

Lieutenant Governor votes only when Legislature equally divided. Rule 1, Section 14.
Voice vote while house under call. Rule 7, Section 2b.

Sec. 6. Postpone to Time Certain. No motion to postpone to a time certain, to commit, or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.

Sec. 7. Reconsideration. (a) When a question has been decided, it shall be in order for any member voting with the prevailing side, or not voting, to move for a reconsideration thereof. A motion to reconsider must be made on the same day the original question was decided or on the next legislative day, except when it be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading. In such case, it must be made on the same day the original question was decided or on one of the next three legislative days. A motion to reconsider must be disposed of by the Legislature within five legislative days after making the same or it shall be deemed defeated. If the Legislature shall refuse to reconsider, or upon reconsideration shall affirm its first decision, no further motion to reconsider shall be in order unless by unanimous consent.

Motion to reconsider cannot be withdrawn without leave. Rule 7, Section 3.

(b) Every motion to reconsider shall take preference over all other questions, except a motion to recess, to adjourn, or for cloture.

(c) For its adoption, a motion to reconsider shall require the vote of a majority of the elected members, except:

i Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading, then a three-fifths vote shall be required for adoption.
ii Where such motion be to reconsider the vote on a bill which lacked the constitutional majority on a Final Reading with the emergency clause attached, but which received the constitutional majority with the emergency clause stricken and the purpose of the motion is to again add the emergency clause, then a two-thirds vote of the elected members shall be required for adoption.
iii Where such motion be to reconsider the vote on a motion to pass a bill notwithstanding the objections of the Governor or for override of a line-item veto, then a three-fifths vote shall be required for adoption.
iv Where such motion be to reconsider the vote on a motion to suspend the rules, then a three-fifths vote shall be required for adoption.

(d) For a bill on General File, no motion to reconsider shall be in order until the bill has failed to advance three times; for a bill on Select File, no motion to reconsider shall be in order until the bill has failed to advance two times; for a bill passed on Final Reading, no motion to reconsider shall be in order except by the introducer of the bill, for technical or clarifying amendments.

(e) Whenever a bill is returned from the Governor for further action pursuant to the Legislature's request for such return, motions for reconsideration necessarily incident to opening a bill for further action shall be admitted regardless of the time limitation otherwise imposed by this rule.

Sec. 8. Strike the Enacting Clause. A motion to strike the enacting clause, if adopted, is equivalent to rejection of the bill. It shall not have precedence over a motion to amend nor a motion to indefinitely postpone.

Sec. 9. Motions to Adjourn or Recess. A motion to adjourn shall be in order, except:

a. While a member is speaking.
b. When a motion to adjourn or recess has just been defeated.
c. After the Final Reading of a bill and during roll call thereon.

A motion to adjourn to a time certain shall have precedence over a motion to adjourn. A motion to recess shall take precedence over either of such motions. Successive motions to adjourn or recess are never in order for dilatory purposes.

When a motion to adjourn or recess has been made, the Speaker shall be privileged to speak to the motion prior to any vote on such motion. A motion to adjourn or recess is not debatable.

A motion to adjourn or recess shall be adopted if approved by a majority of members voting.

Sec. 10. Cloture. At any stage of consideration the principal introducer of the bill under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for a cloture to the presiding officer after eight hours of debate on the bill at that stage of consideration, except that the appropriation bills introduced by the Appropriations Committee shall be subject to a cloture motion after twelve hours of debate at that stage of consideration. The presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of the elected members shall be required for the cloture motion to be successful. A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

An unsuccessful motion for cloture shall result in the debate on the bill ending for the day. When the Speaker chooses to resume debate on the bill, successive motions for cloture shall not be in order until two additional hours of debate on the bill has occurred.

Sec. 11. Motions and Amendments for Dilatory Purposes. Motions and amendments shall not be filed for dilatory purposes. If more than two amendments and/or motions are offered to a bill or resolution, the principal introducer of the bill or resolution may raise a point of order stating that he or she believes the amendments and/or motions are being used for dilatory purposes. If, in the opinion of the Speaker, the motions and/or amendments are not dilatory, debate on the pending measure shall continue. If the Speaker has reason to believe that one or more of the amendments and/or motions are dilatory, the Speaker shall consult with the principal introducer of the original bill or resolution and the principal introducers of the amendment and/or motions in an attempt to reach an accord as to which amendments and/or motions should be considered by the Legislature. For that purpose, the Speaker may temporarily remove the entire bill or resolution from the agenda. After consultation, the Speaker shall forthwith decide which, if any, amendments and/or motions are dilatory and shall rule such amendments and/or motions out of order. A motion to overrule the chair on any decision made pursuant to this section is not in order except that a ruling of the chair may be challenged by an introducer of amendments and/or motions ruled to be dilatory in which instance the challenge shall be to all amendments and/or motions included in the Speaker's ruling. The consultation and the Speaker's ruling subsequent to consultation provided for in this section, shall in no case result in a bill or resolution being removed from the agenda for more than the current legislative day. Any amendment and/or motion ruled out of order by the Speaker shall not in any form, version, or substance be in order if again offered by any member at the same stage of debate. A motion to overrule the chair after a ruling is out of order.

RULE 8--APPROPRIATIONS PROCESS

Section 1. Purpose. The purpose of this rule is to provide a procedure for the Legislature to develop appropriations for all state agencies, boards, and commissions. Such procedure shall consider the need to (1) continue the services and financial assistance provided by state agencies and programs, (2) restrict the growth in state appropriations, and (3) provide for the efficient and effective use of state revenue by utilizing standing committee subject matter expertise in the review of agency, board, and commission budget requests.

Sec. 2. Appropriations Committee Report. The Legislature's Appropriations Committee, by majority vote of its members, shall annually prepare a report summarizing the recommended total General Fund appropriation for each year of the following biennium. Such report shall include information based upon the committee's initial review of (1) state agency, board, and commission budget requests, (2) the Governor's budget, (3) the estimated revenue receipts for each year of the following biennium, (4) General Fund reserve requirements, (5) express obligations, and (6) economic conditions affecting the State of Nebraska.

Sec. 3. Report, When Required. The report required in Section 2 of this rule shall be printed in the Legislative Journal and presented to each member of the Legislature by the Chairperson of the Appropriations Committee between twenty and thirty legislative days after the Governor presents his or her budget during sessions in odd-numbered years and between fifteen and twenty legislative days after the Governor's budget presentation during session in even-numbered years.

Sec. 4. Standing Committee Appropriations Review. (a) Each standing committee may hold a budget request review hearing on the agency, board, and commission budgets reasonably encompassed in its subject matter jurisdiction. Any such review hearing shall not be held until the Appropriations Committee has held its public hearing on that agency, board, or commission. The chairperson of the standing committee shall coordinate the scheduling of such hearings with the Chairperson of the Appropriations Committee. The standing committee shall obtain a determination from the Executive Board that the budget to be reviewed is within its subject matter jurisdiction. The standing committee may recommend to the Legislature amendments to proposed appropriations.

(b) Standing committee amendments, if any, must be filed by the sixth legislative day following the placement of appropriations bills on General File. Standing committee amendments shall be printed in the Journal and shall be considered by the Legislature no sooner than the eighth legislative day following the placement of the appropriations bills on General File. Standing committee amendments shall be considered by the Legislature after Appropriations Committee amendments but before all other amendments. Standing committee amendments shall be considered in the order of filing.

(c) The Appropriations Committee shall make available to the appropriate standing committee all currently available information at its disposal.

Sec. 5. Bills, Held on Final Reading. The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature. Provided the Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all tax expenditure bills; and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

Sec. 6. Bill, Setting Tax Rates. The Legislature's tax rate bill shall be passed no later than the 85th legislative day in a 90 day session and the 55th legislative day in a 60 day session.

Sec. 7. Financial Status Report. Beginning with the legislative day following the reporting of the appropriations bills to General File, there shall be attached to the daily agenda of the Legislature a General Fund Financial Status, prepared by the Legislative Fiscal Analyst under the supervision of the Chair of the Appropriations Committee. The Financial Status shall include current estimates of beginning funds available, plus estimated revenue, less the Appropriations Committee recommended budget and express obligations for the biennial period under consideration, to arrive at the calculated variance from the minimum reserve for the General Fund as specified by law. The Financial Status shall also include a listing of other legislation on Select File and Final Reading, and Speaker's Major Proposals on General File that would deduct from or add to General

Funds available above the minimum reserve requirement, should the bills pass.

In addition to data for the budget period under consideration, the Financial Status shall include data for the ensuing two years following the biennial budget period. Such data shall consist of projections of available balances, annual net receipts, and annual expenditures, based on the assessment of the Legislative Fiscal Analyst of the provisions of current law as it may relate to projected revenues and expenditures. Prior to attaching the first Financial Status to the agenda, the data and the assumptions for the ensuing years beyond the budget biennium and methods for arriving at estimates shall be reviewed by the Chair and the Vice Chair of the Appropriations and Revenue committees and shall be approved by a majority of the membership of each such committee. Upon mutual agreement by the Chairs of the Appropriations Committee and Revenue Committee, the projections may be reconsidered pursuant to the provisions of this section.

RULE 9--SPECIAL SESSIONS

Section 1. Purpose. The purpose of this rule is to establish special procedures for the Legislature to utilize during a special session. This rule recognizes the necessity of the Legislature to address the business for which it is called together in an expeditious and fair fashion and provides that certain legislative procedures established for regular sessions shall not unduly burden the activities of the Legislature during a special session.

Sec. 2. Convening of the Legislature. Pursuant to the directive contained in the proclamation issued by the Governor, either upon the concurrence of two-thirds of the members of the Legislature according to the procedure established by section 50-125 or upon the call of the Governor under the authority of Article IV, section 8, of the Nebraska Constitution, the Legislature shall convene in special session. The first item of business shall be the introduction of bills and resolutions, both of which shall be numbered consecutively beginning with the number one. Bills and resolutions offered by the Speaker at the request of the Governor or offered pursuant to the statement filed with the Secretary of State and agreed to by two-thirds of the members of the Legislature shall be introduced ahead of all other proposals. After introduction, all bills and resolutions shall be handled in the manner provided in this rule. Bills shall be introduced only during the first three days of the session. Resolutions which are not considered and adopted in the same manner as bills may be introduced at any time during the session.

Sec. 3. Resolution Considered as a Bill. Resolutions which propose amendments to the state constitution, propose the ratification or rejection of amendments to the federal Constitution, or memorialize the Congress with regard to amendments to the U.S. Constitution, shall be considered and adopted in the same manner as bills.

Sec. 4. Committee Hearings. Within one legislative day following the introduction of bills and resolutions, or pronouncement of a gubernatorial appointment, the Reference Committee shall review each bill, resolution, and gubernatorial appointment and refer the matter to the appropriate standing committee. The committee to which the bill, resolution, or gubernatorial appointment is referred shall provide as much public notice of the time and place of the hearing on the matter as is reasonable under the circumstances by publication in the Legislative Journal, but in no case shall the hearing be more than five calendar days after the date the bill, resolution, or gubernatorial appointment has been referred to the committee.

Sec. 5. Report of Bill or Resolution to Legislature. The committee to which a bill or resolution has been referred shall make a report on the bill or resolution to the Legislature within twenty-four hours after the committee has taken final action on the matter. If, at the expiration of twenty-four hours from the time final action was taken, the chairperson has not reported the bill or resolution, any senator may file with the Speaker a motion that the chairperson be compelled to submit a report. After determining that final action on the bill or resolution has been taken at least twenty-four hours prior to the time the motion was submitted, the Speaker shall accept the motion and compel the chairperson to file the committee's report on the matter.

Sec. 6. Indefinitely Postponed Bills and Resolutions. If the committee action on a bill or resolution is to postpone indefinitely, the bill shall stand indefinitely postponed, except that such bill or resolution may be placed on General File or referred back to the committee by a majority vote of the elected members. Not more than one bill or resolution shall be raised from committee on any one motion. A motion to raise shall not be amended to include any other bill, resolution, or subject matter. A motion to raise shall take precedence in order over all other motions, except a motion to adjourn.

Sec. 7. Bills and Resolutions Held by Committee. If the committee has not taken final action on a bill or resolution within two days after the committee hearing, any senator may move that the bill or resolution be placed on General File. If a majority of the elected members vote in favor of the motion, the bill shall be placed on General File.

Sec. 8. Pending Proposals Indefinitely Postponed. At the conclusion of a special session, all bills and resolutions which have not been enacted shall stand indefinitely postponed and shall not carry over to the next legislative session.

Sec. 9. Rules Controlling When Conflict Exists. When a conflict exists between the provisions of this rule and other provisions of the Rules of the Nebraska Legislature, the provisions of this rule shall apply.

RULE 10--ELECTION CONTESTS AND QUALIFICATIONS CHALLENGES

Section 1. Election Contests and Qualifications Challenges. (a) An election contest shall place in issue only the validity of the results of an election of a member to the Unicameral Legislature. An election contest shall only determine which candidate was properly elected to the Legislature and shall be seated.

(b) A qualifications challenge shall place in issue only the qualifications of a person elected as a member of the Legislature under the Constitution. A qualifications challenge shall only determine whether a person elected to the Legislature is qualified to hold or retain the seat.

(c) Election contests and qualifications challenges shall be brought and conducted as provided in these rules.

(d) Each election contest and qualifications challenge filed with the Clerk shall be referred by the Clerk to the Reference Committee, who in turn shall refer the matter to a specially created committee to consider such contest or challenge. The committee shall consist of an odd number of members, shall have a minimum of five members and shall consist of members appointed by the Executive Board. The chairperson of such committee shall be appointed by the Executive Board.

(e) The special committee may adopt rules to govern election contests and qualifications challenges, provided that such committee rules must be consistent with these rules, must be filed with the Clerk within twenty-four hours of adoption, and must be made available to all parties and to the public.

Sec. 2. Initiating Election Contests. (a) Election contests may be brought only by an unsuccessful candidate.

(b) Election contests may be brought only by the procedures and within the time limits established by the Nebraska statutes. Notice of intention to contest shall be served on the person certified as elected to the Legislature from the representative district within the time limits established by law.

(c) Within forty days following the general election contested, each contestant shall file with the Clerk of the Legislature a petition of election contest and shall serve such petition on the purported winner. A petition of election contest shall allege the contestant's qualifications to bring the contest and to serve as a member of the Legislature, that he/she alleges that a mistake, violation of election laws, or fraud was committed in specified precincts in the counting, return or canvass of the votes or that some other specified irregularity occurred in the conduct of the election in specified precincts. A petition of election contest shall contain a prayer specifying the relief requested and the precincts in which a recount or other inquiry is desired. A petition of election contest shall be verified by affidavit swearing to the belief that the allegations are true, and shall be accompanied by proof of service on all respondents.

(d) A petition of contest may not be amended to cure a defect under the statutory requirements. A petition of election contest, if filed and served subsequent to the notice of intention to contest, may not raise points not expressed in the notice.

Sec. 3. Initiating Qualifications Challenges. (a) Qualifications challenges may be brought only by an unsuccessful candidate.

(b) Qualifications challenges must be brought within forty days following the general election contested.

(c) A qualifications challenge shall be brought by filing a petition of qualifications challenge with the Clerk, and by serving a copy of the petition on the purported winner. The petition must be accompanied by proof of personal service upon the respondent member and must be verified by affidavit swearing to the truth of the allegations or based upon information and belief. A petition of qualifications challenge shall set forth the grounds on which the respondent member is alleged to be constitutionally unqualified, the qualifications of the petitioner to bring the challenge, and a prayer for relief.

Sec. 4. Contests and Challenges - Due Process. (a) Election contests and qualifications challenges shall be heard and determined as expeditiously as possible under adversary procedures wherein each party to the proceedings has a reasonable opportunity to present his claim, any defense and arguments, and to respond to those of his opponents. All parties may be represented by counsel.

(b) Election contests and qualifications challenges shall be heard and determined in accordance with the applicable provisions of the Nebraska statutes, the Nebraska Constitution, and the United States Constitution. Judicial decisions which bear on a point of law in a contest or challenge shall be admissible in the arguments of the parties and the deliberations and decisions of the committee. Judicial decisions applicable to a point of law or to a fact situation to the committee shall be given weight as precedent.

(c) The committee shall give notice of all rules, timetables or deadlines adopted by the committee. Notice under this subsection shall be in writing and shall be given either personally with receipt, or by certified mail (return receipt requested) addressed to the party at his or her place of residence and to his or her attorney of record at his or her office if so requested by the party.

Sec. 5. Committee Proceedings and Powers in Contests and Challenges. (a) All proceedings of the committee concerning election contests and qualifications challenges may be recorded and transcribed. Copies of the transcript shall be made available to the members of the committee and to the parties.

(b) The committee may dismiss an election contest or qualifications challenge, or may determine to proceed to a recount or other inquiry. The committee may limit the issues to be determined in a contest or challenge, except that where a recount is conducted in an election contest, any precinct timely requested by any party to be recounted shall be recounted by the committee.

(c) In conducting inquiries, investigations and recounts in election contests and qualifications challenges, the committee shall have the power to compel the attendance of witnesses and the production of books, papers, ballots, documents and records, by subpoena signed by the chairperson of the committee as provided by Rule 3, Section 20. In conducting proceedings in election contests and qualifications challenges, the committee may utilize the legislative powers to gather information as provided by Rule 3, Section 20.

(d) The committee may allow any person authorized to take depositions of any necessary witnesses, as may be permitted by law. In recounting the ballots in any election contest, however, no person other than a member of the committee or officer of the Legislature shall handle any ballots, tally sheets, or other election materials without the consent of the committee. The responsibility for the actual recounting of ballots may not be delegated.

(e) The committee shall maintain a record of proceedings in every election contest and qualifications challenge. Such record shall include all notices and pleadings, roll call votes, all reports and dissents, and all documents which were admitted into the proceeding. The committee shall file the record with the Clerk of the Legislature upon the adoption of its final report. The record shall then be available for examination in the Clerk's office.

(f) With the approval of the Executive Board, the committee may employ staff assistants to include clerks, court reporters, professional staff and other personnel as deemed necessary.

Sec. 6. Adoption of Reports in Contests and Challenges. (a) All final decisions of the committee regarding an election contest or qualification challenge shall be reported in writing to the Legislature, and approved by a majority of the members of the committee. Reports shall include a specific recommendation to the Legislature as to the disposition of the contest or challenge.

(b) Any member of the committee may file a dissent from a report of the committee, a minority report, or a special concurrence with the majority report or with any minority report.

(c) Reports of the committee shall be filed with the Clerk of the Legislature, printed and placed on the members' desks, along with any dissents, minority reports or special concurrences. The report shall be listed on the agenda under the heading "Report of Election Contest" or "Report of Qualifications Challenge." The report as filed with the Clerk, shall not be considered for two legislative days prior to any consideration by the Legislature.

(d) The Legislature shall adopt the majority report or a minority report in an election contest or qualifications challenge or shall refuse to adopt any report filed and re-refer the contest or challenge to the committee for further proceedings or for a modified report. Reports as filed by the committee are non-amendable. If the Legislature fails to adopt a report, the matter shall automatically be rereferred to committee for further consideration.

(e) Each party to a contest or challenge may file with the Clerk of the Legislature within 15 days of the filing of the final report a detailed statement of attorney's fees and expenses incurred by said party in connection with the case. The committee shall make recommendations to the Legislature concerning reimbursement of attorney's fees and the expenses of the parties. Such recommendation shall not exceed a sum that is reasonable, just and proper.

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CARRYOVER

LEGISLATION

Bill Titles, Resolutions, and Subject and Section Indexes Introduced in the Ninety-Sixth Legislature, First Session, 1999, and Pending Before the Ninety-Sixth Legislature, Second Session, 2000

January 5, 2000

STATUS OF CARRYOVER

BILLS

AND

RESOLUTIONS

Introduced in the
Ninety-Sixth Legislature, First Session, 1999
and pending before the
Ninety-Sixth Legislature, Second Session, 2000

General File (108): (770 (505 - 05/14/99) (356 652 652A - 01/05/00) 138 126 286 LR21CA 27 63 495 788 383 750 560 647 LR6CA 534 523 482 410 153 153A 288 644 289 289A 582 606 658 626 29 477 367 725 643 427 427A 182 151 509 55 120 175 504 864 310 705 510 692 96 438 654 654A 793 701 204 74 302 302A LR20CA 604 801 662 480 480A 389 174 174A 659 354 715 156 867 52 224 476 524 557 398 398A 584 812 791 771 736 433 433A 457 457A 695 230 830 409 572 LR13CA 696 731 449 629 629A 794 782 709 527 419 463

Select File (4): (612 – 01/10/00) (729 – 01/15/00) 42 45

Final Reading (4): (44 734 LR4CA LR5CA)

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Business and Labor (0).

Education (31): 26 93 169 173 304 353 385 387 388 415 425 452 483 486 487 540 541 544 564 602 631 653 660 668 714 727 758 811 817 857 LR23CA LR23CA

Executive Board (4): 154 515 LR2CA LR9CA

General Affairs (7): 187 281 431 529 576 678 790

Government, Military and Veterans Affairs (14): 193 206 233 349 430 455 579 628 717 718 728 803 847 LR8CA

Health and Human Services (12): 209 220 352 708 735 742 797 818 819 856 868 871

Judiciary (87): 39 69 70 75 79 94 98 108 111 130 159 160 185 186 189 190 201 210 219 222 223 225 254 256 263 265 282 305 309 312 313 316 321 341 343 374 376 391 399 406 408 412 414 423 435 450 451 466 467 481 500 513 516 558 565 567 577 591 593 597 598 599 609 613 614 615 617 624 625 627 633 638 651 655 690 699 700 751 798 824 837 838 840 850 852 861 866

Legislative Program Evaluation (0).

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Nebraska Retirement Systems (6): 155 545 676 743 773 831

Revenue (21): 171 183 245 249 365 400 453 484 502 535 601 648 657 667 670 677 710 772 807 836 848

Transportation (40): 16 25 30 80 110 114 124 133 177 188 207 235 252 264 275 300 344 358 361 445 525 546 570 583 586 587 595 641 686 688 707 733 744 756 761 765 768 780 796 869

Urban Affairs (15): 237 364 370 371 428 462 536 549 590 607 702 739 741 752 804

Resolutions Reported for Further Consideration (1): LR3

TITLES TO BILLS

LEGISLATIVE BILL 16. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to speed limits; to amend section 60-682.01, Reissue Revised Statutes of Nebraska; to change fines for exceeding the speed limit on the National System of Interstate and Defense Highways; and to repeal the original section.

LEGISLATIVE BILL 25. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-311.14, Reissue Revised Statutes of Nebraska; to change provisions relating to license plates issued to handicapped or disabled persons; and to repeal the original section.

LEGISLATIVE BILL 26. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to schools; to state intent; to provide for reimbursement for public school meal programs; and to provide for rules and regulations.

LEGISLATIVE BILL 27. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to labor organizations; to require certain employees to pay for collective bargaining and contract enforcement as prescribed; to define terms; and to provide powers and duties.

LEGISLATIVE BILL 29. Introduced by Coordsen, 32; Bromm, 23; Matzke, 47; Dw. Pedersen, 39; C. Peterson, 35; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-304 and 60-480.01, Reissue Revised Statutes of Nebraska; to provide for the issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies; and to repeal the original sections.

LEGISLATIVE BILL 30. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to license plates; to amend section 60-311, Reissue Revised Statutes of Nebraska; to change fees for issuance of license plates; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 38. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3446, Revised Statutes Supplement, 1998; to limit state appropriations as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 39. Introduced by Brashear, 4; Bruning, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-518, Reissue Revised Statutes of Nebraska; to change provisions relating to theft; and to repeal the original section.

LEGISLATIVE BILL 42. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to county court; to amend section 24-517, Revised Statutes Supplement, 1998; to change jurisdictional provisions; and to repeal the original section.

LEGISLATIVE BILL 44. Introduced by Brashear, 4; Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-201, Revised Statutes Supplement, 1998; to provide penalties for criminal attempt; to require a report by law enforcement agencies; to provide for the disposition of certain forfeited money and property; and to repeal the original section.

LEGISLATIVE BILL 45. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-504, Reissue Revised Statutes of Nebraska; to change provisions relating to preliminary hearings; and to repeal the original section.

LEGISLATIVE BILL 52. Introduced by Brashear, 4; Redfield, 12.

A BILL FOR AN ACT relating to the death penalty; to amend sections 29-2532, 29-2533, 29-2542, and 29-2543, Reissue Revised Statutes of Nebraska; to change the method of inflicting the death penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 55. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to civil procedure; to authorize commencement of a new action within six months after failure of an action as prescribed.

LEGISLATIVE BILL 63. Introduced by Landis, 46.

A BILL FOR AN ACT relating to trusts and estates; to amend section 12-1107, Reissue Revised Statutes of Nebraska; to adopt the Uniform Principal and Income Act of 1997; to repeal the Nebraska Principal and Income Act; to harmonize provisions; to provide severability; to repeal the original section; and to outright repeal sections 30-3101 to 30-3115, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 69. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to employment; to amend sections 13-1102, 20-113, 20-131, 23-2525, 23-2531, 23-2541, 48-1101 to 48-1107, 48-1107.02, 48-1108, 48-1110 to 48-1126, 79-2,123, 81-1355, and 81-1356, Reissue Revised Statutes of Nebraska, and sections 20-139, 25-2602.01, and 85-9,175, Revised Statutes Supplement, 1998; to rename an act; to define a term; to change provisions relating to employment discrimination based on sexual orientation; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-1109, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 70. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to civil rights; to amend section 28-307, Reissue Revised Statutes of Nebraska; to adopt the Voluntary Physician Aid-In-Dying Act; to provide a penalty; to change provisions relating to murder, homicide, assault, and assisting suicide; and to repeal the original section.

LEGISLATIVE BILL 74. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-672, Reissue Revised Statutes of Nebraska; to redefine traffic infraction; and to repeal the original section.

LEGISLATIVE BILL 75. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to discrimination based offenses; to amend section 28-112, Revised Statutes Supplement, 1998; to change provisions relating to the burden of proof for enhanced penalties; and to repeal the original section.

LEGISLATIVE BILL 79. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1998; to provide a penalty for the use of a computer to commit a felony or misdemeanor; and to repeal the original section.

LEGISLATIVE BILL 80. Introduced by Bruning, 3; Dw. Pedersen, 39; Cudaback, 36.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-311, Reissue Revised Statutes of Nebraska; to provide for five-year issuance of license plates; and to repeal the original section.

LEGISLATIVE BILL 93. Introduced by Redfield, 12.

A BILL FOR AN ACT relating to schools; to provide deadlines for collective bargaining.

LEGISLATIVE BILL 94. Introduced by Engel, 17.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend section 13-801, Reissue Revised Statutes of Nebraska; to provide for reciprocal interstate law enforcement agreements; and to repeal the original section.

LEGISLATIVE BILL 96. Introduced by Schellpeper, 18; Cudaback, 36; Vrtiska, 1; Matzke, 47; Coordsen, 32.

A BILL FOR AN ACT relating to counties; to amend sections 32-517 to 32-526, 32-528, 32-529, 32-557, and 32-609, Reissue Revised Statutes of Nebraska; to provide for certain county offices to be filled on a nonpartisan basis; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 98. Introduced by Schimek, 27; Bohlke, 33; Bromm, 23; Crosby, 29; Dierks, 40; Hilgert, 7; Hudkins, 21; Jones, 43; Matzke, 47; Dw. Pedersen, 39; Preister, 5; Stuhr, 24; Byars, 30; Vrtiska, 1.

A BILL FOR AN ACT relating to grandparent visitation; to amend sections 43-111 and 43-1802, Reissue Revised Statutes of Nebraska; to clarify visitation conditions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 108. Introduced by Schimek, 27; Preister, 5; Suttle, 10.

A BILL FOR AN ACT relating to public records; to amend section 84-712.09, Reissue Revised Statutes of Nebraska; to provide for confidentiality as prescribed; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 110. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Reissue Revised Statutes of Nebraska; to provide requirements for issuance of permits for vehicles exceeding size and weight limitations; and to repeal the original section.

LEGISLATIVE BILL 111. Introduced by Crosby, 29; Dierks, 40; Engel, 17; Jones, 43; Redfield, 12; Smith, 48; Bruning, 3; Quandahl, 31; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to homicide; to amend sections 28-302 and 28-305, Reissue Revised Statutes of Nebraska, and section 28-306, Revised Statutes Supplement, 1998; to define "unborn child" and redefine "person"; to provide as immaterial when death for an unborn child occurred; to provide an exception to prosecution; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 114. Introduced by Cudaback, 36; Vrtiska, 1.

A BILL FOR AN ACT relating to counties; to amend section 84-712.01, Reissue Revised Statutes of Nebraska; to change a provision relating to access to public records by modem; and to repeal the original section.

LEGISLATIVE BILL 116. Introduced by Schimek, 27; Bromm, 23; Dierks, 40; Preister, 5.

A BILL FOR AN ACT relating to electric utilities; to state intent; to define terms; to provide powers and duties regarding net metering; and to provide severability.

LEGISLATIVE BILL 120. Introduced by Crosby, 29; Dw. Pedersen, 39; Brown, 6; Vrtiska, 1; Price, 26.

A BILL FOR AN ACT relating to divorce; to amend sections 42-364 and 43-2,113, Reissue Revised Statutes of Nebraska; to change child custody determination provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 124. Introduced by Schimek, 27; Wehrbein, 2.

A BILL FOR AN ACT relating to cities of the primary class; to prohibit railroads from obstructing highways in cities of the primary class; to provide a penalty; to provide an exemption; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 126. Introduced by Schellpeper, 18; Bromm, 23; Brown, 6; Cudaback, 36; Jones, 43; Landis, 46; Dw. Pedersen, 39; Schimek, 27; Suttle, 10; Vrtiska, 1; Wehrbein, 2; Jensen, 20.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-180.02, 53-180.04, 53-180.05, and 53-1,104, Reissue Revised Statutes of Nebraska; to change provisions relating to minors' violations; to change provisions relating to license suspension for illegal sales; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 130. Introduced by Tyson, 19; Suttle, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-433, Reissue Revised Statutes of Nebraska, and section 28-416, Revised Statutes Supplement, 1998; to change penalty provisions relating to possession of marijuana; to provide certain fees to be charged as court costs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 133. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301, 60-330.02, and 60-334, Reissue Revised Statutes of Nebraska; to provide for the classification of certain utility vehicles as farm trucks; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 138. Introduced by Schimek, 27; Janssen, 15; Lynch, 13; Preister, 5; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to volunteerism; to state intent; to create the Nebraska Volunteer Service Commission; to provide powers and duties; to create a fund; and to declare an emergency.

LEGISLATIVE BILL 151. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to the DNA Detention of Sexual and Violent Offenders Act; to amend section 29-4107, Revised Statutes Supplement, 1998; to change provisions relating to DNA samples and fingerprints; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 153. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to create a task force to study the patrol; and to declare an emergency.

LEGISLATIVE BILL 153A. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 153, Ninety-sixth Legislature, First Session, 1999; and to declare an emergency.

LEGISLATIVE BILL 154. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to the Legislature; to amend sections 32-508 and 50-1101, Reissue Revised Statutes of Nebraska; to change the number of legislative districts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 155. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend section 79-9,105, Reissue Revised Statutes of Nebraska, and sections 79-9,100, 79-9,104, and 79-9,113, Revised Statutes Supplement, 1998; to change provisions relating to the monthly formula retirement annuity, qualified domestic relations order payments, disability benefits, and school district contributions; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 156. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to lobbying; to amend section 49-1492, Reissue Revised Statutes of Nebraska; to prohibit certain lobbying activities by former state officers as prescribed; and to repeal the original section.

LEGISLATIVE BILL 159. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to crime; to amend sections 28-109 and 43-279, Reissue Revised Statutes of Nebraska, and section 28-105, Revised Statutes Supplement, 1998; to change certain penalties for gang-related offenses; to provide notification to Nebraska State Patrol of juvenile law violators; to eliminate juvenile fingerprinting; to repeal the original sections; and to outright repeal section 43-252, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 160. Introduced by Brown, 6; Brashear, 4; Bromm, 23; Coordsen, 32; Raikes, 25; Wehrbein, 2.

A BILL FOR AN ACT relating to liability; to limit governmental liability for damages relating to electronic computing devices.

LEGISLATIVE BILL 169. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to schools; to amend section 79-846, Reissue Revised Statutes of Nebraska; to change provisions relating to reduction in force; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 171. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to exempt machinery, equipment, and electricity from sales and use taxation as prescribed; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 173. Introduced by Dierks, 40; Cudaback, 36; Hudkins, 21; Jones, 43; Schellpeper, 18; Schmitt, 41; Stuhr, 24; Tyson, 19; Vrtiska, 1.

A BILL FOR AN ACT relating to schools; to amend sections 77-3444, 79-4,111, 79-1003, and 79-1083.03, Revised Statutes Supplement, 1998; to change provisions relating to Class I school district levies and budgets; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 174. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to labor; to adopt the One Day Rest in Seven Act; and to provide a penalty.

LEGISLATIVE BILL 174A. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 174, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 175. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to landlord and tenant; to amend sections 20-131.04, 69-2304, 69-2308, 76-1416, 76-1446, and 76-1483, Reissue Revised Statutes of Nebraska; to change provisions relating to disposition of personal property, security deposits, and actions for possession; and to repeal the original sections.

LEGISLATIVE BILL 177. Introduced by Jensen, 20; Hilgert, 7.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3006, Reissue Revised Statutes of Nebraska; to change provisions relating to tax exempt motor vehicles; and to repeal the original section.

LEGISLATIVE BILL 182. Introduced by Beutler, 28; Bohlke, 33; Preister, 5; Schimek, 27; Suttle, 10; Wickersham, 49.

A BILL FOR AN ACT relating to students; to adopt the Student Freedom of Expression Act.

LEGISLATIVE BILL 183. Introduced by Cudaback, 36; Baker, 44.

A BILL FOR AN ACT relating to motor fuel tax; to amend sections 66-490 to 66-493, 66-651, 66-685, 66-686, 66-698, 66-6,100, 66-712, 66-719.01, 66-727, 66-737, and 77-2704.05, Reissue Revised Statutes of Nebraska, and sections 39-2215 to 39-2216, 66-482, 66-4,141, 66-4,143, and 66-4,144, Revised Statutes Supplement, 1998; to adopt the Liquified Petroleum Gas Tax Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 185. Introduced by Bromm, 23; Engel, 17; Jensen, 20; Jones, 43; Tyson, 19; at the request of the Governor.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-213, 25-2308, and 83-183, Reissue Revised Statutes of Nebraska, and section 83-1,116, Revised Statutes Supplement, 1998; to change provisions relating to actions brought by prisoners; to informally name the Nebraska Prison Litigation Reform Act of 1999; to eliminate a provision relating to witness fees; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide severability; to repeal the original sections; and to outright repeal section 33-139.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 186. Introduced by Bromm, 23; Engel, 17; Jensen, 20; Jones, 43; C. Peterson, 35; Tyson, 19; at the request of the Governor.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Reissue Revised Statutes of Nebraska; to change provisions relating to postconviction proceedings; to establish limits on postconviction proceedings; and to repeal the original section.

LEGISLATIVE BILL 187. Introduced by Kristensen, 37; Cudaback, 36; Hartnett, 45; Lynch, 13; Wehrbein, 2.

A BILL FOR AN ACT relating to the State Lottery Act; to amend sections 9-812, 9-836.01, and 81-179, Revised Statutes Supplement, 1998; to change the distribution of lottery proceeds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 188. Introduced by Thompson, 14; Bromm, 23; Dw. Pedersen, 39; C. Peterson, 35.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 28-905, 43-3321, 60-301, 60-462, 60-463, 60-476.02, 60-479, 60-491, 60-496, 60-497, 60-497.01, 60-497.03, 60-499, 60-4,100, 60-4,102, 60-4,103, 60-4,106, 60-4,108, 60-4,109, 60-4,117, 60-4,120.02, 60-4,125, 60-4,130.03, 60-4,141.01, 60-4,171, 60-4,185, 60-505.02, 60-557, 60-601, 60-605, 60-6,196, 60-6,197, 60-6,198, 60-6,205, 60-6,206, 60-6,211.07, and 60-6,216 to 60-6,218, Reissue Revised Statutes of Nebraska, and sections 28-306 and 83-1,127.02, Revised Statutes Supplement, 1998; to change provisions relating to revocation, suspension, impoundment, cancellation, and reinstatement of motor vehicle registration certificates, operator's licenses, and operating privileges; to define and redefine terms; to provide and change penalties; to harmonize provisions; to provide an operative date; and to repeal the original 1 sections.

LEGISLATIVE BILL 189. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to child abuse; to define terms; to provide for disclosure of certain information as prescribed; and to provide for immunity as prescribed.

LEGISLATIVE BILL 190. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1998; to create the offense of unlawful introduction of alcoholic liquor or a controlled substance within a detention facility or juvenile detention facility; to provide a penalty; to define a term; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 193. Introduced by C. Peterson, 35; Dierks, 40; Kremer, 34; Dw. Pedersen, 39; Schmitt, 41; Tyson, 19.

A BILL FOR AN ACT relating to the state building division; to amend section 81-1108.15, Revised Statutes Supplement, 1998; to exempt the Nebraska veterans homes from facilities administration; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 201. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to law enforcement training; to amend sections 81-1402 and 81-1406, Reissue Revised Statutes of Nebraska, and section 81-1414, Revised Statutes Supplement, 1998; to provide for academic certification courses conducted outside the training center; and to repeal the original sections.

LEGISLATIVE BILL 204. Introduced by Schmitt, 41; Chambers, 11.

A BILL FOR AN ACT relating to law enforcement; to prohibit ticket quota requirements.

LEGISLATIVE BILL 206. Introduced by Schmitt, 41.

A BILL FOR AN ACT relating to judges; to amend section 24-815, Reissue Revised Statutes of Nebraska; to change form of retention ballot; and to repeal the original section.

LEGISLATIVE BILL 207. Introduced by Schmitt, 41.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-311.03, 60-311.04, 60-311.08, and 60-311.09, Reissue Revised Statutes of Nebraska; to change provisions relating to registration and renewal fees; and to repeal the original sections.

LEGISLATIVE BILL 209. Introduced by Schmitt, 41; Dierks, 40.

A BILL FOR AN ACT relating to the Uniform Licensing Law; to amend section 71-155, Reissue Revised Statutes of Nebraska, and sections 71-101 and 71-147, Revised Statutes Supplement, 1998; to authorize certain medical care; to define terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 210. Introduced by Schmitt, 41.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend section 81-2001, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment of the Superintendent of Law Enforcement and Public Safety; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 213. Introduced by Schmitt, 41.

A BILL FOR AN ACT relating to livestock; to amend sections 54-101 and 54-101.01, Reissue Revised Statutes of Nebraska; to change brand provisions; and to repeal the original sections.

LEGISLATIVE BILL 219. Introduced by Suttle, 10; Lynch, 13.

A BILL FOR AN ACT relating to juvenile courts; to amend section 43-2,119, Reissue Revised Statutes of Nebraska; to change the number of juvenile court judges in certain counties; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 220. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to podiatry; to amend section 71-173, Reissue Revised Statutes of Nebraska; to redefine terms; and to repeal the original section.

LEGISLATIVE BILL 222. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Reissue Revised Statutes of Nebraska; to provide for an administrative fee to be imposed on persons convicted of traffic offenses; to create the Traffic Law Enforcement Incentive Fund; to provide for the transfer of funds; and to repeal the original section.

LEGISLATIVE BILL 223. Introduced by Suttle, 10; Connealy, 16; Crosby, 29; Kiel, 9; Dw. Pedersen, 39; C. Peterson, 35; Thompson, 14.

A BILL FOR AN ACT relating to children; to amend sections 43-272 and 43-272.01, Reissue Revised Statutes of Nebraska; to adopt the Court Appointed Special Advocate Act; to change provisions relating to guardians ad litem; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 224. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to contracts; to adopt the Music Licensing Fees Act; and to provide penalties.

LEGISLATIVE BILL 225. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-905, Reissue Revised Statutes of Nebraska; to change provisions relating to operating a motor vehicle to avoid arrest; to change penalty provisions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 230. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Nebraska Hall of Fame; to amend section 72-728, Revised Statutes Supplement, 1998; to change induction eligibility requirements; and to repeal the original section.

LEGISLATIVE BILL 233. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to state government; to amend section 90-115, Reissue Revised Statutes of Nebraska; to rename the Nebraska Educational Telecommunications Building; and to repeal the original section.

LEGISLATIVE BILL 235. Introduced by Crosby, 29; Chambers, 11; Dierks, 40; Hudkins, 21; Jensen, 20; Preister, 5; Schrock, 38; Vrtiska, 1; Wehrbein, 2; Suttle, 10; Redfield, 12; Bromm, 23; Jones, 43.

A BILL FOR AN ACT relating to driving under the influence; to amend sections 37-1254.01, 37-1254.02, 60-4,182, and 60-6,196, Reissue Revised Statutes of Nebraska; to reduce the blood-alcohol concentration limits; and to repeal the original sections.

LEGISLATIVE BILL 237. Introduced by Jensen, 20; Bruning, 3.

A BILL FOR AN ACT relating to metropolitan utilities districts; to amend sections 14-2138 and 14-2139, Reissue Revised Statutes of Nebraska; to change provisions relating to payments and retail sales; to authorize certain fees and taxes; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 239. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 1998; to eliminate certain fund transfers; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by Janssen, 15; Tyson, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2702.07 and 77-2702.17, Reissue Revised Statutes of Nebraska; to exempt certain United States Postal Service delivery charges from sales and use taxes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 249. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to counties; to authorize license and occupation taxes as prescribed.

LEGISLATIVE BILL 252. Introduced by Wehrbein, 2; Cudaback, 36.

A BILL FOR AN ACT relating to railroad crossings; to prohibit the obstruction of highways in cities of the first and second class and villages and certain county roads; to provide penalties; to provide an exemption; to harmonize provisions; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 254. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to liability; to amend sections 13-910 and 81-8,219, Reissue Revised Statutes of Nebraska; to limit political subdivision and state immunity and to provide immunity to government contractors for certain claims; and to repeal the original sections.

LEGISLATIVE BILL 256. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to civil actions; to define terms; to state findings and intent; and to provide immunity from liability for volunteers as prescribed.

LEGISLATIVE BILL 263. Introduced by Dw. Pedersen, 39; Byars, 30; Crosby, 29; Dierks, 40; Engel, 17; Hilgert, 7; Jensen, 20; Jones, 43; Quandahl, 31; Smith, 48; Tyson, 19; Vrtiska, 1; Wehrbein, 2; Bruning, 3.

A BILL FOR AN ACT relating to schools; to prohibit school-based health clinics from offering certain services as prescribed; and to require notification as prescribed.

LEGISLATIVE BILL 264. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to the Motor Vehicle Safety Responsibility Act; to amend sections 60-503, 60-505.02, 60-519, 60-522, 60-523, 60-525, 60-556, and 60-558, Reissue Revised Statutes of Nebraska; to provide for the surrender of license plates for certain violations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 265. Introduced by Wickersham, 49; Janssen, 15; Jones, 43; Matzke, 47; Vrtiska, 1.

A BILL FOR AN ACT relating to law enforcement; to amend sections 7-111, 13-1504, 13-1801, 15-733, 18-1703, 18-1741.03, 18-1741.04, 18-1741.07, 23-1704.01, 23-1706, 23-1707, 25-1223, 25-1238, 25-21,230, 25-2229, 25-2230, 25-2231, 28-109, 28-204, 28-906, 28-929, 28-930, 28-1008, 29-215, 29-401, 29-422, 29-424, 29-427, 32-1549, 33-117, 33-119, 33-120, 33-135.01, 39-311, 49-801, 52-1504, 53-117, 53-125, 53-134, 53-167.02, 53-167.03, 53-180.07, 53-197, 54-129, 54-155, 54-304, 60-119, 60-122, 60-125, 60-325, 60-489, 60-4,100, 60-4,118, 60-4,130, 60-4,170, 60-4,184, 60-556, 60-601, 60-667, 60-679, 60-680, 60-695, 60-696, 60-699, 60-6,103, 60-6,110, 60-6,119, 60-6,148, 60-6,151, 60-6,152, 60-6,164, 60-6,165, 60-6,166, 60-6,172, 60-6,173, 60-6,192, 60-6,231, 60-6,233, 60-6,268, 60-6,308, 60-2401.01, 64-108, 71-161.06, 71-1,147.11, 71-1333.02, 74-597, 75-130, 76-1446, 77-1725.01, 81-1402, 1 81-1403, 81-1404, 81-1410, 81-1411, 81-1413, 83-195, and 83-1,128, Reissue Revised Statutes of Nebraska, and sections 18-1741.01, 28-907, 28-931, 28-931.01, 28-1012, 71-1,147.46, 77-1214, and 81-1401, Revised Statutes Supplement, 1998; to create a class of peace officer to be known as constable and to provide powers and duties; to define terms; to create the position of process server and to provide powers and duties; to eliminate obsolete language relating to the transfer of municipal employees; to harmonize provisions; to repeal the original sections; and to outright repeal section 24-593, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 274. Introduced by Jones, 43; Baker, 44; Bourne, 8; Byars, 30; Coordsen, 32; Hudkins, 21; Kremer, 34; Landis, 46; C. Peterson, 35; Schellpeper, 18; Wickersham, 49; Jensen, 20; Tyson, 19; Bruning, 3.

A BILL FOR AN ACT relating to business entities; to amend sections 21-2602 and 67-306, Reissue Revised Statutes of Nebraska, and section 67-409, Revised Statutes Supplement, 1998; to change provisions relating to lawful purposes; and to repeal the original sections.

LEGISLATIVE BILL 275. Introduced by Jones, 43.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-311.03, 60-311.04, 60-311.08, and 60-311.09, Reissue Revised Statutes of Nebraska; to change certain license plate fees as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 281. Introduced by Schellpeper, 18.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-194.03, Reissue Revised Statutes of Nebraska; to change provisions relating to the transportation of alcoholic liquor into the state for personal use; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 282. Introduced by Stuhr, 24; Bromm, 23; Coordsen, 32; Raikes, 25; Wehrbein, 2.

A BILL FOR AN ACT relating to liability; to amend sections 13-910 and 81-8,219, Reissue Revised Statutes of Nebraska; to change political subdivision and state immunity provisions relating to government computer systems; and to repeal the original sections.

LEGISLATIVE BILL 283. Introduced by Jones, 43.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-455, Reissue Revised Statutes of Nebraska; to eliminate the fee for limited permits to hunt deer; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 286. Introduced by Jones, 43.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3234, Revised Statutes Supplement, 1998; to change eminent domain provisions; and to repeal the original section.

LEGISLATIVE BILL 288. Introduced by Engel, 17; Bromm, 23; Matzke, 47; Dw. Pedersen, 39; D. Pederson, 42.

A BILL FOR AN ACT relating to incarceration work camps; to amend section 83-4,143, Revised Statutes Supplement, 1998; to change provisions relating to eligibility; and to repeal the original section.

LEGISLATIVE BILL 289. Introduced by Schellpeper, 18; Cudaback, 36; Vrtiska, 1.

A BILL FOR AN ACT relating to zoning and planning; to amend section 23-114, Revised Statutes Supplement, 1998; to provide central filing for county zoning regulations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 289A. Introduced by Schellpeper, 18.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 289, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 300. Introduced by C. Peterson, 35; Dierks, 40; Hudkins, 21; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-302, Revised Statutes Supplement, 1998; to eliminate the ten-day grace period; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 302. Introduced by C. Peterson, 35; Dierks, 40; Hudkins, 21; Suttle, 10; Thompson, 14; Tyson, 19.

A BILL FOR AN ACT relating to motor vehicles; to create the Nebraska Commission on Motor Vehicle Laws; to state intent; to provide duties; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 302A. Introduced by C. Peterson, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 302, Ninety-sixth Legislature, First Session, 1999; and to declare an emergency.

LEGISLATIVE BILL 304. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to schools; to amend section 79-458, Revised Statutes Supplement, 1998; to change provisions relating to freeholders' petitions; and to repeal the original section.

LEGISLATIVE BILL 305. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to real estate; to amend sections 30-2352, 30-2715, and 76-289, Reissue Revised Statutes of Nebraska, and section 30-2201, Revised Statutes Supplement, 1998; to provide for transfer-on-death deeds; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 309. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1998; to create the offense of disarming an officer; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 310. Introduced by Hudkins, 21; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to willful reckless driving; to amend section 60-6,214, Reissue Revised Statutes of Nebraska; to prohibit driving in certain areas temporarily closed to traffic; and to repeal the original section.

LEGISLATIVE BILL 312. Introduced by Suttle, 10; Brown, 6; Hilgert, 7; Jensen, 20; Kiel, 9; Lynch, 13; Dw. Pedersen, 39; Preister, 5.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-820, Reissue Revised Statutes of Nebraska; to change provisions relating to the disposition of seized property; and to repeal the original section.

LEGISLATIVE BILL 313. Introduced by Redfield, 12; Preister, 5; Quandahl, 31; Smith, 48; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to public health; to amend sections 28-1425, 28-1426, 28-1429.01, and 28-1429.02, Reissue Revised Statutes of Nebraska, and section 28-1422, Revised Statutes Supplement, 1998; to change provisions relating to the sale, display, and storage of cigarettes; to provide intent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 316. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to medical examiners; to amend sections 12-1208, 23-1206, 23-1801, 23-1802, 28-1804 to 23-1806, 23-1808 to 23-1823, 25-1223, 25-1230, 25-1232, 25-1524, 25-1542, 25-1548, 25-2202, 29-407, 29-1401, 29-2815, 49-801, 60-6,101, 60-6,102, 71-605.04, 71-1612, 71-3405, 71-3408, 71-3409, 71-4813, and 83-1011, Reissue Revised Statutes of Nebraska, and sections 71-605 and 71-3410, Revised Statutes Supplement, 1998; to adopt the Post-Mortem Examinations Act; to eliminate the office of county coroner; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal section 23-1210, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 321. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to community corrections; to amend sections 83-931 to 83-933 and 83-939, Reissue Revised Statutes of Nebraska, and sections 29-2262 and 83-922, Revised Statutes Supplement, 1998; to establish the Office of Community Justice; to define terms; to provide for financial aid for local community corrections programs; to provide powers and duties; to rename the Division of Community-Centered Services; to eliminate the Community Correctional Facilities and Programs Act; to harmonize provisions; to repeal the original sections; to outright repeal sections 47-601 to 47-618, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 335. Introduced by Schrock, 38; Bruning, 3.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Reissue Revised Statutes of Nebraska; to provide for premium deer and wild turkey permits; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 337. Introduced by Schrock, 38; Bromm, 23; Cudaback, 36; Hilgert, 7; Robak, 22; Schellpeper, 18.

A BILL FOR AN ACT relating to tractor tests; to amend sections 2-2701.01, 2-2702, 2-2703, 2-2705, and 2-2707 to 2-2709, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the testing and sale of current tractor models; to change a permit fee; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-2701, 2-2701.02, 2-2703.01, 2-2705.01, 2-2706, 2-2710, and 2-2711, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 338. Introduced by C. Peterson, 35; Bohlke, 33; Bruning, 3; Cudaback, 36; Jones, 43; Kremer, 34; Kristensen, 37; Raikes, 25; Schmitt, 41.

A BILL FOR AN ACT relating to water; to create the Water Conservation and Banking Act of 1999; to state intent; to provide powers and duties; and to declare an emergency.

LEGISLATIVE BILL 339. Introduced by Preister, 5; Kiel, 9; Thompson, 14.

A BILL FOR AN ACT relating to renewable energy resources; to state intent; to define terms; to provide requirements for utility companies; to authorize renewable energy credits; to provide powers and duties; to provide for enforcement and civil actions; and to provide severability.

LEGISLATIVE BILL 341. Introduced by Wehrbein, 2; Baker, 44; Connealy, 16; Cudaback, 36; Dierks, 40; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Schellpeper, 18; Schrock, 38; Vrtiska, 1.

A BILL FOR AN ACT relating to livestock; to provide certain restrictions in any collision action.

LEGISLATIVE BILL 343. Introduced by Brown, 6.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 28-101 and 60-2608, Reissue Revised Statutes of Nebraska; to prohibit acts relating to stolen motor vehicles and major component parts; to create a presumption; to authorize inspections; to define terms; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 344. Introduced by Kiel, 9; Bourne, 8; Bromm, 23; Bruning, 3; Hilgert, 7; Janssen, 15; C. Peterson, 35; Preister, 5; Price, 26; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to state government; to amend sections 13-1203, 39-102, 39-103, 39-202, 39-204, 39-892, 39-1101, 39-1110, 39-1302, 39-2215, 39-2602, 49-506, 60-631, 60-6,118, 60-6,120, 66-821, 74-1310, 74-1405.02, 76-1224, 81-101, 81-102, 81-701.01, 81-701.02, 81-701.04, and 81-710, Reissue Revised Statutes of Nebraska; to rename the Department of Roads; to provide a duty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 347. Introduced by Byars, 30; Crosby, 29; Dierks, 40; Engel, 17; Hudkins, 21; Jones, 43; Lynch, 13; Schellpeper, 18; Schrock, 38; Stuhr, 24.

A BILL FOR AN ACT relating to appropriations; to state intent; and to appropriate funds for developmental disability services rate equity.

LEGISLATIVE BILL 349. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to counties; to amend sections 22-112 and 22-171, Reissue Revised Statutes of Nebraska; to change the boundary line between the counties of Butler and Platte; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 352. Introduced by Crosby, 29; Lynch, 13; Dw. Pedersen, 39; Bourne, 8; Bruning, 3.

A BILL FOR AN ACT relating to blind persons; to amend sections 83-210.01 to 83-210.03, 83-211, 83-211.02, and 84-1604.01, Revised Statutes Supplement, 1998; to adopt the Commission for the Blind and Visually Impaired Act; to eliminate provisions relating to the Department of Health and Human Services; to harmonize provisions; to repeal the original sections; and to outright repeal sections 83-210.04 to 83-210.07, and 83-212, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 353. Introduced by Price, 26.

A BILL FOR AN ACT relating to schools; to authorize additional contracts for nonteaching services as prescribed; and to declare an emergency.

LEGISLATIVE BILL 354. Introduced by Price, 26.

A BILL FOR AN ACT relating to schools; to authorize contracts for head coaches as prescribed; and to declare an emergency.

LEGISLATIVE BILL 356. Introduced by Byars, 30.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-4,182 and 60-6,272, Reissue Revised Statutes of Nebraska; to authorize enforcement of occupant protection system requirements as a primary action; to provide for court costs; to harmonize provisions; to repeal the original sections; and to outright repeal section 60-6,271, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 358. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,279, Reissue Revised Statutes of Nebraska; to change provisions relating to protective helmets; and to repeal the original section.

LEGISLATIVE BILL 361. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Nebraska Motor Vehicle Operator's License Act; to amend sections 60-484, 60-486, and 60-4,100, Reissue Revised Statutes of Nebraska; to change provisions relating to revocation and suspension; and to repeal the original sections.

LEGISLATIVE BILL 364. Introduced by Schellpeper, 18; Coordsen, 32; Hartnett, 45; Wickersham, 49.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2103, Reissue Revised Statutes of Nebraska; to redefine a term; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 365. Introduced by Wickersham, 49; Coordsen, 32; Hartnett, 45; Schellpeper, 18.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2101, Reissue Revised Statutes of Nebraska, and section 77-27,144, Revised Statutes Supplement, 1998; to provide for distribution of local option sales tax collected in community redevelopment areas; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 367. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to cities of the primary class; to amend sections 15-311 and 32-535, Reissue Revised Statutes of Nebraska; to provide for appointment of a nonvoting member to the city council; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 370. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to cities and villages; to amend sections 18-1736, 18-1737, 18-1741.01, and 81-1108.15, Revised Statutes Supplement, 1998; to authorize the designation of access aisles as prescribed; to define a term; to change a duty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 371. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to parking; to provide for wheelchair parking cones; and to provide penalties.

LEGISLATIVE BILL 374. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-246 and 43-247, Reissue Revised Statutes of Nebraska; to provide certain jurisdiction over parents; and to repeal the original sections.

LEGISLATIVE BILL 376. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to juveniles; to amend section 43-290, Reissue Revised Statutes of Nebraska; to change cost reimbursement provisions; and to repeal the original section.

LEGISLATIVE BILL 383. Introduced by Wickersham, 49; Coordsen, 32; Landis, 46; C. Peterson, 35; Schellpeper, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.08, 77-2715.09, and 77-2734.04, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 1998; to change a capital gains adjustment; to provide an adjustment to income for capital gains; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 385. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to create and provide for the Educational Voucher Program; and to provide duties for the State Department of Education.

LEGISLATIVE BILL 387. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to state aid to schools; to amend section 79-10,120, Reissue Revised Statutes of Nebraska, and section 79-1001, Revised Statutes Supplement, 1998; to provide for a facility factor; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 388. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend section 79-234, Reissue Revised Statutes of Nebraska, and section 79-458, Revised Statutes Supplement, 1998; to change provisions relating to option students and the transfer of land between school districts; and to repeal the original sections.

LEGISLATIVE BILL 389. Introduced by Schrock, 38; Beutler, 28.

A BILL FOR AN ACT relating to motor fuel; to establish a standard for gasoline sold in Nebraska; to provide exceptions to the standard; to provide duties; to provide an operative date; and to outright repeal section 66-1225, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 390. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Bohlke, 33; Bromm, 23; Bruning, 3; Hudkins, 21; Jones, 43; Stuhr, 24.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend section 70-628.03, Revised Statutes Supplement, 1998; to change provisions relating to the joint exercise of powers as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 391. Introduced by Landis, 46.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2521 and 29-2521.01, Reissue Revised Statutes of Nebraska; to provide for resentencing upon a finding of racial injustice in capital cases; and to repeal the original sections.

LEGISLATIVE BILL 397. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend section 44-5018, Reissue Revised Statutes of Nebraska; to change provisions relating to rates and forms; and to repeal the original section.

LEGISLATIVE BILL 398. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to certificates of title; to amend sections 60-110 and 60-112, Reissue Revised Statutes of Nebraska; to change provisions relating to the notation of liens on certified copies of certificates of title for motor vehicles; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 398A. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 398, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 399. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to marriage; to amend sections 33-110, 42-102, 42-104, 42-107, and 42-113, Reissue Revised Statutes of Nebraska; to change license and disqualification provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 400. Introduced by Wickersham, 49; Coordsen, 32; Landis, 46; Schellpeper, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715, Reissue Revised Statutes of Nebraska; to change income tax calculations; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 402. Introduced by Dierks, 40; Vrtiska, 1.

A BILL FOR AN ACT relating to agriculture; to adopt an agricultural stewardship demonstration award program; and to provide a termination date.

LEGISLATIVE BILL 406. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to landlord and tenant; to amend section 76-1419, Reissue Revised Statutes of Nebraska; to change fit premises provisions; and to repeal the original section.

LEGISLATIVE BILL 408. Introduced by Vrtiska, 1; Byars, 30; Cudaback, 36; Hartnett, 45; Janssen, 15; Matzke, 47; Dw. Pedersen, 39; D. Pederson, 42; Raikes, 25; Schimek, 27.

A BILL FOR AN ACT relating to political subdivisions; to amend section 28-522, Reissue Revised Statutes of Nebraska; to provide for entry upon property as prescribed; to provide for damages; to provide an affirmative defense to criminal trespass; and to repeal the original section.

LEGISLATIVE BILL 409. Introduced by Vrtiska, 1; Cudaback, 36.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 16-104, 16-105, 16-302.01, 16-306, 17-102, 17-104, 17-301, 17-303, 17-541, 17-614, 32-534, and 32-554, Reissue Revised Statutes of Nebraska; to change provisions relating to elections, ordinances, and officers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 410. Introduced by Baker, 44; Hudkins, 21; Schmitt, 41.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,267 and 60-6,268, Reissue Revised Statutes of Nebraska; to change provisions relating to child passenger restraints; and to repeal the original sections.

LEGISLATIVE BILL 412. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-224, Reissue Revised Statutes of Nebraska; to change limitation of action provision for product liability; and to repeal the original section.

LEGISLATIVE BILL 414. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to courts; to amend sections 7-111, 11-119, 11-125, 22-417, 23-120, 23-121, 23-1114.03 to 23-1114.06, 23-2504, 23-2518, 24-345, 24-507 to 24-509, 24-513, 24-519, 24-520, 24-703, 24-709, 24-1002, 29-103, 29-403, 29-812, 29-3901, 30-2218, 30-2402, 33-106.02, 42-108, 43-2,123, 49-502, 49-801, 72-240.14, 76-706, 76-723, and 77-2019, Reissue Revised Statutes of Nebraska, and sections 24-228, 24-701, 24-706, and 24-709.02, Revised Statutes Supplement, 1998; to transition the office of the clerk of the district court from a county reimbursed to a state reimbursed position; to create the position of clerk of the court; to eliminate the position of clerk magistrate and election of clerks of the district courts; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-524, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 415. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend section 79-220, Reissue Revised Statutes of Nebraska, and section 79-214, Revised Statutes Supplement, 1998; to change admission requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 419. Introduced by Coordsen, 32; Baker, 44; Bohlke, 33; Cudaback, 36; Dierks, 40; Hudkins, 21; Jones, 43; Kremer, 34; Matzke, 47; Raikes, 25; Schellpeper, 18; Schmitt, 41; Schrock, 38; Stuhr, 24; Vrtiska, 1; Wehrbein, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1371, Reissue Revised Statutes of Nebraska; to change provisions relating to valuation of farmstead sites; and to repeal the original section.

LEGISLATIVE BILL 423. Introduced by Kristensen, 37; Baker, 44; Bromm, 23; Bruning, 3; Hudkins, 21; Jensen, 20; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to employment; to provide immunity in actions relating to job references; and to define terms.

LEGISLATIVE BILL 425. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to schools; to amend section 79-856, Revised Statutes Supplement, 1998; to change provisions relating to Staff Development Assistance; and to repeal the original section.

LEGISLATIVE BILL 427. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to telephone solicitation; to amend section 75-156, Reissue Revised Statutes of Nebraska; to provide intent; to define terms; to prohibit certain telephone solicitations; to create duties; to authorize fees; to provide for confidentiality; to provide for procedures and appeals; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 427A. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 427, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 428. Introduced by Schellpeper, 18.

A BILL FOR AN ACT relating to parking permits; to amend sections 18-1738, 18-1738.01, 18-1740, and 18-1741, Reissue Revised Statutes of Nebraska; to change provisions relating to parking permits for handicapped or disabled persons; and to repeal the original sections.

LEGISLATIVE BILL 430. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to Nebraska veterans homes; to amend sections 80-314, 80-316, 80-320, 81-1108.15, 83-107.01, and 83-108, Revised Statutes Supplement, 1998; to transfer responsibility for veterans homes to the Department of Veterans' Affairs; to eliminate the Veterans Coordinating Committee; to exempt the Nebraska veterans homes from state building division facilities administration; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 80-323 and 80-324, Revised Statutes Supplement, 1998; and to declare an emergency.

LEGISLATIVE BILL 431. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-105, 53-106, 53-107, 53-112, and 53-113, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on the commission; and to repeal the original sections.

LEGISLATIVE BILL 433. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to petitions; to amend section 32-1409, Reissue Revised Statutes of Nebraska; to change provisions relating to the verification of signatures and other information on initiative and referendum petitions; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 433A. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 433, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 435. Introduced by Hudkins, 21; Bruning, 3.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend sections 83-1003, 83-1009, 83-1012, 83-1013, 83-1025, 83-1026, 83-1049, and 83-1053, Reissue Revised Statutes of Nebraska, and sections 83-1036, 83-1037, 83-1046, and 83-1078, Revised Statutes Supplement, 1998; to provide commitment procedures for sexually violent offenders; to redefine terms; to provide immunity; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 438. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1401, 49-1458, and 49-1463.01, Reissue Revised Statutes of Nebraska; to change provisions for late contributions; to require reports of late expenditures; to provide for a late filing fee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 445. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Hudkins, 21; Janssen, 15; Jones, 43; Dw. Pedersen, 39; and Crosby, 29; Engel, 17.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 53-186, 60-4,108, 60-4,182, 60-601, 60-6,186, 60-6,196, and 60-6,197, Reissue Revised Statutes of Nebraska; to change provisions relating to consumption of alcohol, operators' licenses, speed limits, driving under the influence, motor vehicle impoundment; to provide duties for the Department of Roads; to provide penalties; to eliminate enforcement of seat belt violations as secondary actions; to harmonize provisions; to repeal the original sections; and to outright repeal section 60-6,271, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 449. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to the Special Education Act; to amend sections 9-812, 79-1142, and 79-1185, Revised Statutes Supplement, 1998; to change provisions relating to support services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 450. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3908, Reissue Revised Statutes of Nebraska; to change a provision for reimbursement of indigent defense costs; and to repeal the original section.

LEGISLATIVE BILL 451. Introduced by Landis, 46; Hilgert, 7.

A BILL FOR AN ACT relating to the Relocation Assistance Act; to amend sections 76-1228, 76-1230, 76-1231, 76-1232, 76-1233, and 76-1241, Reissue Revised Statutes of Nebraska; to change payment amounts; to authorize arbitration; and to repeal the original sections.

LEGISLATIVE BILL 452. Introduced by Landis, 46; Lynch, 13.

A BILL FOR AN ACT relating to schools; to provide for delinquent bond payments; to provide duties for the State Treasurer and the State Department of Education; and to provide severability.

LEGISLATIVE BILL 453. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1705, Reissue Revised Statutes of Nebraska; to authorize payment of property taxes in installments; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 455. Introduced by Wickersham, 49; Schimek, 27.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 49-1401, 49-1423, 49-1490, 49-1499, 49-1499.01, 49-14,101, 49-14,103.01, 49-14,103.02, and 49-14,103.07, Reissue Revised Statutes of Nebraska; to change and eliminate conflict of interest provisions; to provide and change penalty provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 457. Introduced by Robak, 22; Brashear, 4; Bromm, 23; Coordsen, 32; Cudaback, 36; Dierks, 40; Engel, 17; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Matzke, 47; Dw. Pedersen, 39; Schellpeper, 18; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Vrtiska, 1.

A BILL FOR AN ACT relating to elections; to amend sections 32-1201 to 32-1203 and 32-1207, Reissue Revised Statutes of Nebraska; to provide for reimbursement from the state for certain election costs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 457A. Introduced by Robak, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 457, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 459. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to the Department of Environmental Quality; to amend sections 66-1516 and 66-1517, Reissue Revised Statutes of Nebraska, and section 81-15,117, Revised Statutes Supplement, 1998; to provide for a covenant not to sue under the Petroleum Products and Hazardous Substances Storage and Handling Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 462. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to municipalities; to amend section 18-1752.01, Reissue Revised Statutes of Nebraska; to change and eliminate solid waste collection service provisions; to repeal the original section; and to outright repeal section 18-1752.02, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 463. Introduced by Stuhr, 24; Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to adopt the Organic Agriculture Act; to eliminate organic food provisions; to provide an operative date; and to outright repeal sections 81-2,233 to 81-2,235, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 464. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to state government; to amend sections 77-27,156, 77-27,158, and 81-125.01, Reissue Revised Statutes of Nebraska; to establish a limit on certain appropriations and fund transfers; to provide duties for the Governor, Legislature, and Nebraska Economic Forecasting Advisory Board; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 466. Introduced by Brown, 6.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-905, Reissue Revised Statutes of Nebraska; to change provisions relating to operating a motor vehicle to avoid arrest; to change penalty provisions; and to repeal the original section.

LEGISLATIVE BILL 467. Introduced by Suttle, 10; Beutler, 28; Hilgert, 7; Hudkins, 21; Jensen, 20; Jones, 43; Dw. Pedersen, 39; Schimek, 27; Bruning, 3.

A BILL FOR AN ACT relating to sex offenders; to amend sections 28-317, 28-318, and 47-603, Reissue Revised Statutes of Nebraska, and sections 28-105, 29-2923, 29-2925, 29-2926, and 29-2928 to 29-2930, Revised Statutes Supplement, 1998; to adopt the Habitual Sex Offender Act; to provide penalties; to provide duties for the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 476. Introduced by Janssen, 15; Schellpeper, 18; Hudkins, 21; Tyson, 19; Dw. Pedersen, 39; Bruning, 3; Smith, 48; Schmitt, 41; Wickersham, 49; Engel, 17; Robak, 22; Quandahl, 31.

A BILL FOR AN ACT relating to handguns; to amend sections 14-102, 15-255, 16-227, 17-556, 28-915.01, and 28-1202, Reissue Revised Statutes of Nebraska; to adopt the Concealed Handgun License Act; to change and provide penalties; to create a fund; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 477. Introduced by Hudkins, 21; Schellpeper, 18; Vrtiska, 1; Wickersham, 49; Wehrbein, 2.

A BILL FOR AN ACT relating to alcoholic liquor; to create the Nebraska Grape and Winery Board; to provide powers and duties; and to establish and provide for distribution of fees.

LEGISLATIVE BILL 480. Introduced by Schimek, 27; Beutler, 28; Dierks, 40; Hudkins, 21; Preister, 5; Robak, 22; Stuhr, 24; Suttle, 10; Thompson, 14; Price, 26; Chambers, 11.

A BILL FOR AN ACT relating to women's health; to create the Women's Health Initiative of Nebraska; to create a council and a fund; and to provide duties.

LEGISLATIVE BILL 480A. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 480, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 481. Introduced by Baker, 44; Schmitt, 41; Tyson, 19.

A BILL FOR AN ACT relating to state administrative departments; to amend sections 81-8,240 and 81-3001, Revised Statutes Supplement, 1998; to transfer certain attorneys to the Department of Justice; to change certain departments' subpoena powers; to eliminate certain Public Counsel jurisdiction; to harmonize provisions; and to outright repeal section 73-401, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 482. Introduced by Matzke, 47; Baker, 44; Engel, 17; Jensen, 20; Landis, 46; Schimek, 27; Smith, 48; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1998; to provide an income tax credit for adopted children; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 483. Introduced by Tyson, 19; Dierks, 40; Robak, 22.

A BILL FOR AN ACT relating to education; to adopt the Parent Education Equitable Reimbursement (PEER) System Act.

LEGISLATIVE BILL 484. Introduced by Tyson, 19; Crosby, 29; Dierks, 40; Hartnett, 45; Robak, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1998; to provide an income tax credit for certain educational expenses; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 486. Introduced by Bruning, 3; Hartnett, 45.

A BILL FOR AN ACT relating to schools; to amend section 79-215, Revised Statutes Supplement, 1998; to change provisions relating to payment of the cost of state wards' education as prescribed; and to repeal the original section.

LEGISLATIVE BILL 487. Introduced by Bruning, 3; Hartnett, 45.

A BILL FOR AN ACT relating to schools and school districts; to amend section 79-215, Revised Statutes Supplement, 1998; to clarify residency requirements; and to repeal the original section.

LEGISLATIVE BILL 488. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 2-32,109 to 2-32,112 and 2-32,114, Reissue Revised Statutes of Nebraska; to change provisions relating to flood control improvement corridors; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 495. Introduced by Stuhr, 24; Baker, 44; Bohlke, 33; Brashear, 4; Bromm, 23; Connealy, 16; Coordsen, 32; Dierks, 40; Engel, 17; Hartnett, 45; Hudkins, 21; Jones, 43; Kremer, 34; Matzke, 47; D. Pederson, 42; C. Peterson, 35; Price, 26; Raikes, 25; Robak, 22; Schellpeper, 18; Schimek, 27; Schmitt, 41; Schrock, 38; Suttle, 10; Thompson, 14; Vrtiska, 1; Wickersham, 49.

A BILL FOR AN ACT relating to education; to amend sections 79-1003 and 79-1018.01, Revised Statutes Supplement, 1998; to adopt the Education and Career Preparation Act; to change school finance provisions; and to repeal the original sections.

LEGISLATIVE BILL 500. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-696, Reissue Revised Statutes of Nebraska; to change procedures and penalties relating to accident reporting; and to repeal the original section.

LEGISLATIVE BILL 502. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1376, Revised Statutes Supplement, 1998; to change assessment procedures for certain mobile homes; and to repeal the original section.

LEGISLATIVE BILL 503. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to public funds; to amend sections 13-801 and 77-2386, Reissue Revised Statutes of Nebraska, and section 77-2387, Revised Statutes Supplement, 1998; to adopt the Public Funds Deposit and Investment Regulation Act; to change provisions relating to the Interlocal Cooperation Act and the Public Funds Deposit Security Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 504. Introduced by Connealy, 16.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-301, Reissue Revised Statutes of Nebraska; to redefine automobile liability policy; and to repeal the original section.

LEGISLATIVE BILL 505. Introduced by Landis, 46; Matzke, 47; Schimek, 27; Suttle, 10; Thompson, 14; C. Peterson, 35.

A BILL FOR AN ACT relating to tobacco; to amend section 77-4008, Reissue Revised Statutes of Nebraska, and sections 71-7611 and 77-2602, Revised Statutes Supplement, 1998; to change the cigarette and tobacco tax rates and distribution; to create a fund and provide for its use; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 507. Introduced by Lynch, 13; Crosby, 29; Engel, 17; Hartnett, 45; Kiel, 9.

A BILL FOR AN ACT relating to appropriations; to state intent; and to appropriate funds to the Coordinating Commission for Postsecondary Education.

LEGISLATIVE BILL 508. Introduced by Brashear, 4; Brown, 6; Bruning, 3; Coordsen, 32; Hartnett, 45; Hilgert, 7; Jensen, 20; Lynch, 13; Dw. Pedersen, 39; Preister, 5; Redfield, 12; Thompson, 14.

A BILL FOR AN ACT relating to state budget; to amend section 49-805.01, Reissue Revised Statutes of Nebraska; to adopt the Taxpayer Protection Spending Lid Act; to harmonize provisions; to provide severability; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 509. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-303, Reissue Revised Statutes of Nebraska; to redefine murder in the first degree; and to repeal the original section.

LEGISLATIVE BILL 510. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Attorney General; to amend sections 32-507 and 32-609, Reissue Revised Statutes of Nebraska; to provide for the election of the Attorney General on a nonpartisan basis; and to repeal the original sections.

LEGISLATIVE BILL 513. Introduced by Jones, 43; Baker, 44; Bruning, 3; Coordsen, 32; Cudaback, 36; Engel, 17; Hudkins, 21; Jensen, 20; Kremer, 34; Dw. Pedersen, 39; D. Pederson, 42; C. Peterson, 35; Quandahl, 31; Redfield, 12; Schellpeper, 18; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19; Vrtiska, 1; Wehrbein, 2; Dierks, 40; Schmitt, 41; Preister, 5; Byars, 30; Price, 26.

A BILL FOR AN ACT relating to marriage; to amend sections 42-101 and 42-117, Reissue Revised Statutes of Nebraska; to change provisions relating to contracting for marriage and recognition of marriages contracted outside Nebraska; and to repeal the original sections.

LEGISLATIVE BILL 515. Introduced by Bromm, 23; Byars, 30; Jones, 43; Schellpeper, 18; Schmitt, 41; Stuhr, 24.

A BILL FOR AN ACT relating to redistricting; to define terms; to create an advisory commission; to provide procedures for drawing legislative and congressional districts; and to provide powers and duties.

LEGISLATIVE BILL 516. Introduced by Bromm, 23; Dw. Pedersen, 39; Tyson, 19.

A BILL FOR AN ACT relating to crimes and punishments; to amend section 29-431, Reissue Revised Statutes of Nebraska, and section 28-416, Revised Statutes Supplement, 1998; to change marijuana possession punishments; to harmonize provisions; to eliminate instruction requirements; to repeal the original section; and to outright repeal sections 29-433 and 29-434, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 521. Introduced by Bruning, 3; Coordsen, 32; Cudaback, 36.

A BILL FOR AN ACT relating to public power districts; to grant options to purchase leased lands; and to provide for use of sale proceeds.

LEGISLATIVE BILL 523. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to nursing; to amend sections 71-1,132.05 and 71-1,132.31, Reissue Revised Statutes of Nebraska; to adopt the Nurse Licensure Compact; to define a term; to provide for a compact administrator; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 524. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to sports agents; to adopt the Athlete Agent Registration and Accountability Act; to create a penalty; and to provide severability.

LEGISLATIVE BILL 525. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-129 and 60-130, Reissue Revised Statutes of Nebraska; to change provisions relating to salvaged vehicles; and to repeal the original sections.

LEGISLATIVE BILL 527. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to attorneys at law; to adopt the Attorney-Client Conference Act; and to provide civil and criminal liability.

LEGISLATIVE BILL 529. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-105 and 53-106, Reissue Revised Statutes of Nebraska; to change provisions relating to membership on the Nebraska Liquor Control Commission; and to repeal the original sections.

LEGISLATIVE BILL 534. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to state publications; to amend sections 49-501.01, 49-503, 49-506, 49-507, 49-509, 49-509.01, and 50-114.01, Reissue Revised Statutes of Nebraska, and sections 84-1205.02 and 85-177, Revised Statutes Supplement, 1998; to change provisions relating to publication and distribution of session laws and the journal of the Legislature; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 535. Introduced by Kristensen, 37; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-319, 77-2715.01, and 77-27,142, Reissue Revised Statutes of Nebraska; to adopt the Expenditure Limitation Act; to limit tax rate changes as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 536. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-735, Reissue Revised Statutes of Nebraska; to change eligibility requirements for qualified voters; and to repeal the original section.

LEGISLATIVE BILL 540. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1027, Revised Statutes Supplement, 1998; to change provisions relating to reserve increases; and to repeal the original section.

LEGISLATIVE BILL 541. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1503 and 85-1507, Revised Statutes Supplement, 1998; to change provisions relating to community colleges; and to repeal the original sections.

LEGISLATIVE BILL 544. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Special Education Act; to amend sections 79-1110 and 79-1183.01, Revised Statutes Supplement, 1998; to rename and change membership of the Transition Commission; to provide for evaluation and study relating to transition services; to require reports; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 545. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the School Employees Retirement Act; to amend section 79-902, Revised Statutes Supplement, 1998; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 546. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Reissue Revised Statutes of Nebraska; to change provisions relating to size, weight, and load for farm trucks; and to repeal the original section.

LEGISLATIVE BILL 549. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to industrial development bonds; to amend section 13-1101, Reissue Revised Statutes of Nebraska; to redefine project for purposes of industrial development; and to repeal the original section.

LEGISLATIVE BILL 551. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend sections 25-2602.01, 44-120, 44-121, 44-124, 44-133, 44-134, 44-208.05, 44-3,123, 44-1206.01, 44-1525, 44-1989, 44-19,120, 44-2148, 44-2403, 44-2406, 44-2409, 44-2710, 44-32,139, 44-32,160, 44-32,161, 44-3323, 44-3822, 44-4723, 44-4908, 44-5611, 44-5706, 44-6018, 44-6019, 44-6022, 44-6023, 44-6118, and 44-6125, Reissue Revised Statutes of Nebraska; to adopt the Interstate

Compact Uniform Receivership Act and the Nebraska Insurers Supervision Act; to harmonize provisions; to provide severability; to repeal the original sections; and to outright repeal sections 44-4801 to 44-4862, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 553. Introduced by Landis, 46.

A BILL FOR AN ACT relating to public funds; to amend section 77-2386, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the deposit of public funds; to harmonize provisions; to provide an operative date; to repeal the original section; and to outright repeal sections 77-2388 to 77-2390 and 77-2392 to 77-2397, Reissue Revised Statutes of Nebraska, and sections 77-2387 and 77-2391, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 554. Introduced by Landis, 46.

A BILL FOR AN ACT relating to public funds; to amend section 77-2386, Reissue Revised Statutes of Nebraska; to change provisions relating to the deposit of public funds; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 555. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6826 to 44-6832, 44-7002 to 44-7012, 44-7102 to 44-7111, 44-7202 to 44-7214, and 44-7301 to 44-7315, Reissue Revised Statutes of Nebraska; to require coverage for emergency services as prescribed; to provide grievance procedures; to change provisions of the Health Care Professional Credentialing Verification Act, the Managed Care Plan Network Adequacy Act, the Quality Assessment and Improvement Act, the Health Carrier Grievance Procedure Act, and the Managed Care Emergency Services Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 557. Introduced by Jones, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Reissue Revised Statutes of Nebraska; to exempt purchases by city, county, or joint airport authorities from sales and use taxes; and to repeal the original section.

LEGISLATIVE BILL 558. Introduced by Schimek, 27; Chambers, 11; Landis, 46; Wehrbein, 2.

A BILL FOR AN ACT relating to discrimination; to amend sections 13-1102, 20-113, 20-140, 20-141, 48-524, 48-1101, 48-1102, 48-1104 to 48-1107, 48-1107.02, 48-1108, 48-1111, 48-1113 to 48-1119, and 48-1122 to 48-1126, Reissue Revised Statutes of Nebraska, and section 20-139, Revised Statutes Supplement, 1998; to combine and eliminate provisions relating to civil rights, employment, housing, and public accommodations; to change duties of and procedures relating to the Equal Opportunity Commission; to create a fund; to provide a limitation of action; to eliminate obsolete language; to redefine a penalty; to harmonize provisions; to repeal the original sections; and to outright repeal sections 48-1001 to 48-1010 and 48-1219 to 48-1227.01, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 560. Introduced by Robak, 22.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend sections 9-607 and 9-651, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to lottery tickets; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 564. Introduced by Schmitt, 41; Bohlke, 33.

A BILL FOR AN ACT relating to schools; to provide for transfer of land in cases of consolidation as prescribed.

LEGISLATIVE BILL 565. Introduced by Schmitt, 41; Robak, 22.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-3601 to 29-3604, Reissue Revised Statutes of Nebraska; to provide for a driver's safety training program as pretrial diversion; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 567. Introduced by Landis, 46.

A BILL FOR AN ACT relating to eminent domain; to amend section 19-701, Reissue Revised Statutes of Nebraska; to change provisions relating to condemnation of public utilities; and to repeal the original section.

LEGISLATIVE BILL 570. Introduced by Engel, 17; Vrtiska, 1.

A BILL FOR AN ACT relating to 911 service; to amend sections 86-1002 and 86-1004, Reissue Revised Statutes of Nebraska, and section 86-1003, Revised Statutes Supplement, 1998; to authorize a service surcharge on wireless telecommunications service; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 572. Introduced by Government, Military and Veterans Affairs Committee: Schimek, 27, Chairperson; Cudaback, 36; Janssen, 15; Kremer, 34; Quandahl, 31; Schmitt, 41; Smith, 48; Vrtiska, 1.

A BILL FOR AN ACT relating to elections; to amend sections 32-101 and 32-1113 to 32-1116, Reissue Revised Statutes of Nebraska; to provide procedures for election contests involving ballot issues in political subdivisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 576. Introduced by Schellpeper, 18; Janssen, 15.

A BILL FOR AN ACT relating to gambling; to amend section 9-829, Reissue Revised Statutes of Nebraska, and section 77-3001, Revised Statutes

Supplement, 1998; to eliminate a restriction on the sale of lottery tickets; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 577. Introduced by Janssen, 15; Robak, 22.

A BILL FOR AN ACT relating to minors; to amend sections 28-1419, 53-180.06, and 53-180.07, Reissue Revised Statutes of Nebraska; to change provisions relating to sales of tobacco and alcoholic liquor; and to repeal the original sections.

LEGISLATIVE BILL 579. Introduced by Janssen, 15; Schimek, 27.

A BILL FOR AN ACT relating to elections; to amend sections 32-628, 32-630, and 32-1302 to 32-1305, Reissue Revised Statutes of Nebraska; to change provisions relating to recall procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 582. Introduced by Schimek, 27; Janssen, 15.

A BILL FOR AN ACT relating to municipal government; to amend section 18-2528, Reissue Revised Statutes of Nebraska; to exclude certain zoning measures from being subject to referendum powers; and to repeal the original section.

LEGISLATIVE BILL 583. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to eliminate enforcement of seat belt violations as secondary actions; and to outright repeal section 60-6,271, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 584. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-321, Reissue Revised Statutes of Nebraska; to provide for impoundment of operator's license, registration, and license plates for violations of financial responsibility requirements; and to repeal the original section.

LEGISLATIVE BILL 586. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 53-186 and 60-601, Reissue Revised Statutes of Nebraska; to change provisions relating to consumption of alcohol in a motor vehicle; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 587. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to peace officers; to amend sections 49-801, 60-1303, 60-1306, and 81-2005, Reissue Revised Statutes of Nebraska; to redefine a term; to change powers and duties of officers of the Nebraska State Patrol and carrier enforcement officers; and to repeal the original sections.

LEGISLATIVE BILL 590. Introduced by Bromm, 23; Preister, 5.

A BILL FOR AN ACT relating to natural gas regulation; to amend sections 19-4602, 19-4604 to 19-4606, 19-4612, and 19-4618.02, Reissue Revised Statutes of Nebraska; to define and redefine terms; to harmonize provisions; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 591. Introduced by Bromm, 23; Kristensen, 37.

A BILL FOR AN ACT relating to tort claims; to amend sections 13-910 and 81-8,219, Reissue Revised Statutes of Nebraska; to provide exceptions to governmental tort liability; and to repeal the original sections.

LEGISLATIVE BILL 593. Introduced by Robak, 22; Bourne, 8; Byars, 30; Cudaback, 36; Dierks, 40; Matzke, 47; D. Pederson, 42; Schmitt, 41; Suttle, 10; Vrtiska, 1.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-3601 to 29-3604, Reissue Revised Statutes of Nebraska; to provide for a driver's safety training program as pretrial diversion; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 595. Introduced by Wehrbein, 2; Coordsen, 32; Cudaback, 36.

A BILL FOR AN ACT relating to railroads; to amend sections 75-156 and 75-402, Reissue Revised Statutes of Nebraska; to require notice of abandonment or discontinuation of service; to provide duties for the Public Service Commission; to define a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 597. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2523, Revised Statutes Supplement, 1998; to change provisions relating to aggravating and mitigating circumstances; and to repeal the original section.

LEGISLATIVE BILL 598. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Evidence Rules; to amend section 27-1103, Reissue Revised Statutes of Nebraska; to require confessions to be electronically recorded in order to be admissible as evidence; and to repeal the original section.

LEGISLATIVE BILL 599. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Nebraska Commission on Law Enforcement and Criminal Justice; to amend section 81-1425, Reissue Revised Statutes of Nebraska; to require the executive director to review and analyze cases of criminal homicide in Nebraska; and to repeal the original section.

LEGISLATIVE BILL 601. Introduced by Raikes, 25; Jensen, 20; D. Pederson, 42; Dw. Pedersen, 39; Smith, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Revised Statutes Supplement, 1998; to change the standard deduction amount; and to repeal the original section.

LEGISLATIVE BILL 602. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to education; to provide for collective bargaining deadlines as prescribed; to provide a duty for the State Department of Education; and to provide for agreements.

LEGISLATIVE BILL 604. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to veterans; to amend sections 48-225, 80-401.01, 80-411, and 80-802, Reissue Revised Statutes of Nebraska; to change provisions relating to periods of service in the United States Armed Forces; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 606. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to the Community Improvements Cash Fund; to amend section 81-15,113.01, Revised Statutes Supplement, 1998; to change payment provisions; and to repeal the original section.

LEGISLATIVE BILL 607. Introduced by Kiel, 9; Beutler, 28; Bourne, 8; Bruning, 3; Connealy, 16; Crosby, 29; Hartnett, 45; Hilgert, 7; Hudkins, 21; Jensen, 20; Preister, 5; Price, 26; Robak, 22; Schimek, 27; Smith, 48; Suttle, 10; Thompson, 14; Vrtiska, 1.

A BILL FOR AN ACT relating to community development; to adopt the Neighborhood Development Act; to state intent; to define a term; and to provide powers and duties.

LEGISLATIVE BILL 609. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to juveniles; to amend section 43-290, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to costs of care, treatment, and transportation; to repeal the original section; and to outright repeal section 43-2,101, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 612. Introduced by Baker, 44; Coordsen, 32.

A BILL FOR AN ACT relating to child support; to amend section 42-364.16, Reissue Revised Statutes of Nebraska; to change guideline provisions; and to repeal the original section.

LEGISLATIVE BILL 613. Introduced by Baker, 44.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-209 and 29-3511, Reissue Revised Statutes of Nebraska; to change provisions relating to criminal history record information and criminal identification; and to repeal the original sections.

LEGISLATIVE BILL 614. Introduced by Beutler, 28; Hilgert, 7.

A BILL FOR AN ACT relating to product liability; to amend section 25-21,181, Reissue Revised Statutes of Nebraska, and section 25-21,180, Revised Statutes Supplement, 1998; to redefine a term; to change provisions relating to strict liability in tort; and to repeal the original sections.

LEGISLATIVE BILL 615. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to funds; to create the Court-Ordered Settlement Trust Fund; to provide duties; to provide for severability; and to declare an emergency.

LEGISLATIVE BILL 617. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to state district attorneys; to amend sections 23-1201, 23-1202, 23-1206, 23-1206.01, 23-1212, 23-1216, 23-1217, 23-1218, 23-1219, 23-1220, 23-1222, and 23-1223, Reissue Revised Statutes of Nebraska; to create state district attorney offices, prosecutorial districts, and state district attorney nominating commissions; to provide for commission membership, the selection and appointment of state district attorneys, public hearings, and powers and duties; to provide for the filling of vacancies; to create a fund; to create the office of State District Attorney Administrator; to provide powers and duties; to define and redefine terms; to create the Nebraska State District Attorney Standards Advisory Council; to change duties of the Nebraska Commission on Law Enforcement and Criminal Justice; to eliminate provisions relating to certain powers and duties of county attorneys; to harmonize provisions; to provide an 1 operative date; and to repeal the original sections.

LEGISLATIVE BILL 624. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to law enforcement; to provide for training regarding persons with disabilities; and to provide duties.

LEGISLATIVE BILL 625. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to inheritance tax; to limit access to certain court records and information; to provide for confidentiality; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 626. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to trademarks; to adopt the Trademark Registration Act; to eliminate trademark registration provisions; and to outright repeal sections 87-111, 87-113 to 87-122, 87-124, and 87-125, Reissue Revised Statutes of Nebraska, and sections 87-112 and 87-123, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 627. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to real estate; to amend section 81-885.24, Reissue Revised Statutes of Nebraska; to define terms to prohibit certain acts relating to referral fees; to provide penalties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 628. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to public records; to amend sections 84-712 and 84-712.01, Reissue Revised Statutes of Nebraska; to require provision of copies of public records at actual cost; to provide requirements for such copies; and to repeal the original sections.

LEGISLATIVE BILL 629. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to public health; to provide for the Donated Dental Services program; and to state intent relating to appropriations.

LEGISLATIVE BILL 629A. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 629, Ninety-sixth Legislature, First Session, 1999.

LEGISLATIVE BILL 631. Introduced by Kristensen, 37; Chambers, 11.

A BILL FOR AN ACT relating to postsecondary education; to amend sections 32-510, 85-102.01 to 85-103.01, 85-107, 85-956 to 85-958, and 85-963, Reissue Revised Statutes of Nebraska, and sections 81-1108.33 and 81-1108.41, Revised Statutes Supplement, 1998; to eliminate the state college system and to transfer colleges to the University of Nebraska system and the Nebraska community college system; to eliminate the Coordinating Commission for Postsecondary Education and to transfer and eliminate duties; to change membership on and terms of the Board of Regents of the University of Nebraska; to provide intent; to create a transition committee; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 633. Introduced by Kiel, 9; Bourne, 8; Brown, 6; Bruning, 3; Hudkins, 21; Janssen, 15; Jensen, 20; Lynch, 13; Dw. Pedersen, 39; C. Peterson, 35; Preister, 5; Price, 26; Quandahl, 31; Redfield, 12; Robak, 22; Schimek, 27; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to crimes and punishments; to amend sections 28-1204.03 and 28-1204.04, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 1998; to create the offense of assault while on school property; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 638. Introduced by Thompson, 14; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to substance abuse; to create a task force to study, recommend, and adopt standardized treatment services for the criminal justice system; and to declare an emergency.

LEGISLATIVE BILL 639. Introduced by Thompson, 14; Robak, 22.

A BILL FOR AN ACT relating to state government; to authorize a gubernatorial commission to study the creation of a new department by merger of certain departments and a commission; to provide intent; and to provide powers and duties.

LEGISLATIVE BILL 641. Introduced by Thompson, 14; Bromm, 23; Jensen, 20; Schrock, 38.

A BILL FOR AN ACT relating to historical vehicles; to amend sections 60-117 and 60-311.20, Reissue Revised Statutes of Nebraska; to provide for the issuance of a certificate of title; to provide for fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 643. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-320, Reissue Revised Statutes of Nebraska; to change provisions relating to repossession plates; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 644. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to appropriations; to state intent relating to the AIDS Pharmaceutical Assistance Project.

LEGISLATIVE BILL 647. Introduced by Schellpeper, 18.

A BILL FOR AN ACT relating to bingo and other gambling; to amend sections 9-211, 9-230.01, 9-232.01, 9-241.05, 9-255.02, 9-255.04, 9-255.05, 9-255.06, 9-255.08, 9-304, 9-309, 9-326, 9-328, 9-329, 9-340.02, 9-347, 9-347.01, and 9-349, Reissue Revised Statutes of Nebraska; to change provisions relating to dissolution of licensed organizations, special event bingo, the sale or donation of bingo equipment, expenses, annual reports, licensing and application requirements, sales agents, payment and delivery of pickle card units, and reporting requirements; to redefine terms; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 648. Introduced by Raikes, 25; Engel, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2702.07, Reissue Revised Statutes of Nebraska; to define a term; to change sales and use tax provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 650. Introduced by Vrtiska, 1; Brown, 6; Bruning, 3; Byars, 30; Coordsen, 32; Crosby, 29; Cudaback, 36; Dierks, 40; Engel, 17; Hartnett, 45; Hilgert, 7; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; C. Peterson, 35; Price, 26; Robak, 22; Schellpeper, 18; Schimek, 27; Schmitt, 41; Smith, 48; Stuhr, 24; Tyson, 19; Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to amend section 85-417, Revised Statutes Supplement, 1998; to appropriate funds relating to Peru State College; to state intent; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 651. Introduced by Tyson, 19; Baker, 44; Bromm, 23; Byars, 30; Connealy, 16; Coordsen, 32; Crosby, 29; Cudaback, 36; Engel, 17; Hartnett, 45; Hudkins, 21; Janssen, 15; Jones, 43; Price, 26; Raikes, 25; Robak, 22; Schellpeper, 18; Schmitt, 41; Smith, 48; Stuhr, 24; Vrtiska, 1.

A BILL FOR AN ACT relating to courts; to amend sections 23-1705 and 24-514, Reissue Revised Statutes of Nebraska; to require the Supreme Court to pay security costs as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 652. Introduced by Thompson, 14; Lynch, 13.

A BILL FOR AN ACT relating to juvenile corrections; to amend section 77-2602, Revised Statutes Supplement, 1998; to provide for a master plan for facilities; to create a fund; to increase the cigarette tax; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 652A. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, First Session, 1999; and to declare an emergency.

LEGISLATIVE BILL 653. Introduced by Bruning, 3; Bohlke, 33; Crosby, 29; Robak, 22; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to mentoring; to adopt the Nebraska Youth Mentoring Act; and to state intent relating to appropriations.

LEGISLATIVE BILL 654. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to state government; to amend sections 29-3912, 39-529, 60-311, 77-2608, 81-145, 81-149, 81-150, 81-151, 81-153, 81-159, 81-161, 81-161.01, 81-161.02, 81-161.04, 81-164, 81-166, 81-168, 81-171, 81-1118.01, 81-1118.03, 81-1118.04, 81-1184, 81-1185, 81-1186, and 81-1187, Reissue Revised Statutes of Nebraska, and sections 77-913, 81-154, 81-161.03, 81-188.01, 81-1108.41, 81-1118, 81-1316, 81-1317, 81-1317.01, 81-1348, 83-140, and 84-1601, Revised Statutes Supplement, 1998; to change provisions relating to the materiel division of the Department of Administrative Services; to change funding provisions; to change provisions relating to facility planning; to change terms of office; to change employee benefit provisions; to provide an exemption from the state personnel system; to change a termination date; to eliminate an obsolete provision; to repeal the original sections; to outright repeal section 81-163.01, Reissue 1 Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 654A. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, First Session, 1999; and to declare an emergency.

LEGISLATIVE BILL 655. Introduced by Byars, 30.

A BILL FOR AN ACT relating to the Nebraska Law Enforcement Training Center; to amend section 81-1401, Revised Statutes Supplement, 1998; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 657. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,136, Reissue Revised Statutes of Nebraska; to change aid provisions; and to repeal the original section.

LEGISLATIVE BILL 658. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to the Nebraska Pickle Card Lottery Act; to amend sections 9-312, 9-315, and 9-346, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to pickle card requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 659. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to the Nebraska Pickle Card Lottery Act; to amend sections 9-301, 9-307, 9-312, 9-313, 9-315, 9-317, 9-322, 9-329.02, 9-331 to 9-334, 9-336 to 9-338, 9-340, 9-340.02, 9-345.01 to 9-345.03, 9-346, 9-348, 9-350, and 9-351, Reissue Revised Statutes of Nebraska; to authorize the use of electronic pickle card dispensing devices as prescribed; to redefine terms; to provide and change powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 660. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to postsecondary education; to amend section 49-1493, Reissue Revised Statutes of Nebraska; to adopt the College Savings Act; to provide for filing statements of financial interest; and to repeal the original section.

LEGISLATIVE BILL 662. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to railroads; to amend section 74-308, Reissue Revised Statutes of Nebraska; to change eminent domain provisions; and to repeal the original section.

LEGISLATIVE BILL 665. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission; to state intent; and to provide duties.

LEGISLATIVE BILL 667. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2727 and 77-2734.01, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 1998; to change income tax calculations relating to partnerships; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 668. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1007.01 and 79-1007.02, Revised Statutes Supplement, 1998; to change provisions relating to average formula cost per student; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 670. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.01, Reissue Revised Statutes of Nebraska, and section 77-2701.02, Revised Statutes Supplement, 1998; to change the income tax and sales and use tax rates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 671. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriation of water; to amend sections 46-122 and 46-229, Reissue Revised Statutes of Nebraska; to adopt the Water Rights Leasing Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 672. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriation of water; to amend sections 46-122 and 46-229, Reissue Revised Statutes of Nebraska; to adopt the Water Rights Leasing Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 676. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the School Employees Retirement Act; to amend section 79-933, Reissue Revised Statutes of Nebraska, and sections 79-934 and 79-951, Revised Statutes Supplement, 1998; to change provisions relating to the service annuity and disability retirement; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 677. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to property taxation; to amend section 32-519, Reissue Revised Statutes of Nebraska; to authorize the resumption of assessment duties in certain counties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 678. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Reissue Revised Statutes of Nebraska; to change provisions relating to license suspension; and to repeal the original section.

LEGISLATIVE BILL 685. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to ethanol; to amend sections 66-1345 to 66-1345.02, Reissue Revised Statutes of Nebraska; to change provisions relating to funding of production credits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 686. Introduced by Stuhr, 24; Bromm, 23.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,186, Reissue Revised Statutes of Nebraska; to change provisions relating to speed limits; and to repeal the original section.

LEGISLATIVE BILL 688. Introduced by Robak, 22.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Reissue Revised Statutes of Nebraska; to prohibit the use of a fuel power booster delivery system on a motor vehicle; and to repeal the original section.

LEGISLATIVE BILL 690. Introduced by Robak, 22.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-3506, 29-3507, 29-3511, 29-3516, and 29-3521, Reissue Revised Statutes of Nebraska, and section 29-3523, Revised Statutes Supplement, 1998; to redefine terms; to change provisions relating to the expungement of certain criminal history record information as prescribed; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 692. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend sections 2-3328, 2-3331, 14-2145, 14-2146, 23-250.01, 23-905, 29-752, and 72-417, Reissue Revised Statutes of Nebraska; to change and eliminate powers and duties of the Auditor of Public Accounts; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-3329, 23-1613, and 23-1614, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 695. Introduced by Bruning, 3; Quandahl, 31; Smith, 48.

A BILL FOR AN ACT relating to political parties; to amend sections 32-221, 32-231, 32-239, 32-401, 32-603, 32-607, 32-620, 32-703, 32-707, 32-709 to 32-711, 32-809, 32-811, 32-816, 32-912, and 32-1547, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to presidential preference primary elections, county, state, and national political party conventions, delegates to conventions, and political party caucuses; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-613, 32-614, 32-701, 32-704, 32-705, and 32-708, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 696. Introduced by Bruning, 3; Byars, 30; Coordsen, 32; Lynch, 13; Smith, 48; Suttle, 10; Vrtiska, 1; Price, 26.

A BILL FOR AN ACT relating to state contracts; to require technology access clauses; and to provide duties.

LEGISLATIVE BILL 699. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to liability; to limit governmental liability for damages relating to electronic computing devices.

LEGISLATIVE BILL 700. Introduced by Tyson, 19; Smith, 48.

A BILL FOR AN ACT relating to hazardous substances; to define terms; and to provide liability for cleanup costs as a result of a hazardous substance emergency.

LEGISLATIVE BILL 701. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to recreational trails; to amend sections 37-303 and 37-1011 to 37-1014, Reissue Revised Statutes of Nebraska; to change provisions relating to state recreational trails and division fence cost-share responsibilities; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 702. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to municipalities; to authorize combined utility billings.

LEGISLATIVE BILL 705. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to isolated land; to amend sections 39-1713 to 39-1719, Reissue Revised Statutes of Nebraska; to define terms; to change provisions relating to obtaining access to isolated land; and to repeal the original sections.

LEGISLATIVE BILL 707. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 86-811, Revised Statutes Supplement, 1998; to enumerate regulatory and enforcement powers and duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 708. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to mental health; to amend section 83-338, Reissue Revised Statutes of Nebraska; to change provisions relating to the admission of persons to state hospitals; to authorize the use of other inpatient psychiatric facilities as provided; and to repeal the original section.

LEGISLATIVE BILL 709. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to real estate appraisers; to amend sections 76-2201, 76-2207, 76-2217.01, 76-2218, 76-2220, 76-2221, 76-2222, 76-2223, 76-2225, 76-2227, 76-2228, 76-2229, 76-2233.02, 76-2237 to 76-2244, 76-2245, 76-2246, 76-2249, and 76-2250, Reissue Revised Statutes of Nebraska, and sections 76-2229.01, 76-2233, 76-2233.01, and 76-2236, Revised Statutes Supplement, 1998; to provide for appraiser trainee registration; to sunset the registered real estate appraiser classification; to change provisions relating to regulation of real estate appraisers; to change fees; to harmonize provisions; to eliminate obsolete and duplicative provisions; to repeal the original sections; and to outright repeal sections 76-2229.02, 76-2234, 76-2234.01, and 76-2235, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 710. Introduced by Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715, Reissue Revised Statutes of Nebraska, and sections 77-2701, 77-2715.02, and 77-2715.07, Revised Statutes Supplement, 1998; to change income tax calculations; to eliminate a minimum tax, deductions, and exemptions; to change income tax rates and schedules; to provide a personal deduction; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 77-2716.03, Reissue Revised Statutes of Nebraska, and section 77-2716.01, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 714. Introduced by Raikes, 25; D. Pederson, 42.

A BILL FOR AN ACT relating to postsecondary education; to state intent regarding postsecondary education in southeast Nebraska; to create a task force; to provide duties; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 715. Introduced by Raikes, 25; Bohlke, 33.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1001, Revised Statutes Supplement, 1998; to provide for an estimation grid; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 717. Introduced by Preister, 5.

A BILL FOR AN ACT relating to the Nebraska Emergency Planning and Community Right to Know Act; to amend sections 81-15,191, 81-15,193, 81-15,207, 81-15,210, 81-15,213, 81-15,214, and 81-15,235, Revised Statutes Supplement, 1998; to define and redefine terms; to transfer powers and duties to the State Fire Marshal; to provide for fees and allocations; to provide for the recovery of costs; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 718. Introduced by Preister, 5; Bourne, 8; Connealy, 16; Hilgert, 7; Lynch, 13.

A BILL FOR AN ACT relating to state government; to place a moratorium of certain personal service contracts; to provide for a study and reports; to provide severability; and to declare an emergency.

LEGISLATIVE BILL 721. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

LEGISLATIVE BILL 725. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to public utilities; to amend sections 14-2103, 14-2112, 14-2114, 14-2119, 14-2120, 14-2122, 14-2134, 15-311, 15-901, 16-901, 16-903, 17-1001, and 17-1003, Reissue Revised Statutes of Nebraska; to limit the jurisdiction of certain utilities districts; to authorize natural gas franchises; to authorize fees; to provide and change powers and duties; to state intent; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 727. Introduced by Thompson, 14; Bohlke, 33.

A BILL FOR AN ACT relating to teachers; to provide for a task force and a study; and to declare an emergency.

LEGISLATIVE BILL 728. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to initiative and referendum measures; to state intent.

LEGISLATIVE BILL 729. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to initiative and referendum measures; to amend sections 32-1405, 32-1408, and 32-1412, Reissue Revised Statutes of Nebraska; to provide powers and duties for the Secretary of State regarding petition filings; and to repeal the original sections.

LEGISLATIVE BILL 731. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to information technology; to amend sections 81-1192, 81-1195, 81-11,101, and 86-1513, Revised Statutes Supplement, 1998; to adopt the Rural Technology Development Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 732. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to power districts and corporations; to amend section 70-1010, Reissue Revised Statutes of Nebraska; to change a reference to the Nebraska Power Review Board; and to repeal the original section.

LEGISLATIVE BILL 733. Introduced by C. Peterson, 35; Engel, 17; Janssen, 15; Kremer, 34; D. Pederson, 42; Preister, 5; Schmitt, 41; Vrtiska, 1.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-302 and 60-302.03, Reissue Revised Statutes of Nebraska; to change penalties relating to operating or parking an unregistered vehicle or a vehicle without license plates as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 734. Introduced by Kiel, 9; Bourne, 8; Hilgert, 7; Preister, 5; Suttle, 10.

A BILL FOR AN ACT relating to public defenders; to amend section 23-3403, Reissue Revised Statutes of Nebraska; to change provisions relating to compensation of personnel; and to repeal the original section.

LEGISLATIVE BILL 735. Introduced by Brown, 6; Bruning, 3; Preister, 5.

A BILL FOR AN ACT relating to child care; to amend section 43-2606, Reissue Revised Statutes of Nebraska; to provide training requirements; and to repeal the original section.

LEGISLATIVE BILL 736. Introduced by Brown, 6.

A BILL FOR AN ACT relating to human genetics; to amend sections 13-607, 43-1414, 71-2620, 71-6810, and 81-2010, Reissue Revised Statutes of Nebraska, and sections 29-4105, 71-6816, and 81-2010.03, Revised Statutes Supplement, 1998; to require certification for certain laboratories and counselors; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 739. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Redfield, 12; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to handicapped or disabled parking permits; to amend sections 18-1738, 18-1738.01, and 18-1741, Reissue Revised Statutes of Nebraska, and sections 18-1736, 18-1737, 18-1741.01, and 81-1108.15, Revised Statutes Supplement, 1998; to provide for wheelchair lift warning cones; to change provisions relating to designation of spaces, signs, applications for permits, violations, and handicapped parking infractions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 741. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Redfield, 12; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to handicapped or disabled parking; to amend section 18-1740, Reissue Revised Statutes of Nebraska; to eliminate a fee; to require the state to reimburse local officials; and to repeal the original section.

LEGISLATIVE BILL 742. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to public health; to amend sections 28-441 and 28-442, Reissue Revised Statutes of Nebraska; to change drug paraphernalia provisions to exclude certain hypodermic syringes and needles; and to repeal the original sections.

LEGISLATIVE BILL 743. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to retirement; to amend sections 16-1005, 16-1006, 16-1013, and 23-2307, Reissue Revised Statutes of Nebraska; to change provisions relating to contributions by police officers of cities of the first class, cities of the first class, and county employees and retirement systems for police officers of cities of the second class and villages; to change a vesting schedule; to provide duties; and to repeal the original sections.

LEGISLATIVE BILL 744. Introduced by Kiel, 9; Price, 26; Schrock, 38; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,213, Reissue Revised Statutes of Nebraska; to redefine the offense of reckless driving; and to repeal the original section.

LEGISLATIVE BILL 747. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to environmental protection; to adopt the Nebraska Protected Rivers Act; to provide powers and duties; and to declare an emergency.

LEGISLATIVE BILL 750. Introduced by Thompson, 14; Dierks, 40; Jensen, 20; Preister, 5; Price, 26; Raikes, 25; Redfield, 12; Schimek, 27; Suttle, 10.

A BILL FOR AN ACT relating to the Nebraska Clean Indoor Air Act; to amend sections 71-5704, 71-5707, 71-5708, and 71-5710, Reissue Revised Statutes of Nebraska; to redefine a term; to change smoking restrictions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 751. Introduced by D. Pederson, 42; Byars, 30; C. Peterson, 35; Robak, 22; Tyson, 19.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-511.01 and 28-601, Reissue Revised Statutes of Nebraska; to prohibit acts relating to retail sales receipts and Universal Price Codes; to provide penalties; and to repeal the original sections.

LEGISLATIVE BILL 752. Introduced by Landis, 46.

A BILL FOR AN ACT relating to housing; to amend section 20-319, Revised Statutes Supplement, 1998; to change provisions relating to accessibility in design and structure; to provide a duty; and to repeal the original section.

LEGISLATIVE BILL 756. Introduced by Landis, 46.

A BILL FOR AN ACT relating to motor vehicle operator's licenses; to amend section 60-483, Reissue Revised Statutes of Nebraska; to provide restrictions on the sale of abstracts of operating records; and to repeal the original section.

LEGISLATIVE BILL 758. Introduced by Landis, 46; Schimek, 27; Kiel, 9.

A BILL FOR AN ACT relating to student discipline; to amend sections 79-254, 79-255, 79-257, 79-258, 79-259, 79-260, 79-261, 79-262, 79-265, 79-267, 79-268, 79-269, 79-270, 79-273, 79-284, 79-288, and 79-2,105, Reissue Revised Statutes of Nebraska, and sections 79-256 and 79-266, Revised Statutes Supplement, 1998; to rename the Student Discipline Act; to state intent; to provide for reassignment as prescribed; to authorize discipline by teaching personnel as prescribed; to require providing student files to teachers as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 761. Introduced by Landis, 46.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-803, Revised Statutes Supplement, 1998; to change provisions relating to rate rebalancing; and to repeal the original section.

LEGISLATIVE BILL 765. Introduced by Landis, 46.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 75-311, 75-313, and 75-318, Reissue Revised Statutes of Nebraska; to change provisions relating to certificates of convenience and necessity; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 768. Introduced by C. Peterson, 35; Coordsen, 32; Cudaback, 36.

A BILL FOR AN ACT relating to the Motor Vehicle Safety Responsibility Act; to amend sections 60-321, 60-502, 60-503, 60-504, 60-511, 60-512, 60-513, 60-514, 60-520, 60-523, 60-524, 60-525, 60-526, 60-533, 60-536, 60-538, 60-539, 60-540, 60-545, 60-546, 60-550, 60-550.01, 60-552, 60-553, 60-554, 60-555, 60-556, 60-558, 60-560, 60-565, 60-567, 60-568, and 60-569, Reissue Revised Statutes of Nebraska; to provide for operator's license, motor vehicle registration, and license plate revocation and seizure as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 770. Introduced by Hartnett, 45; Byars, 30.

A BILL FOR AN ACT relating to inheritance tax; to amend section 77-2004, Revised Statutes Supplement, 1998; to change the exempt amount; and to repeal the original section.

LEGISLATIVE BILL 771. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to wind energy resources; to amend sections 18-418 and 70-655, Reissue Revised Statutes of Nebraska; to provide for different rates, tolls, rents, and other charges; and to repeal the original sections.

LEGISLATIVE BILL 772. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to sales and use tax; to amend sections 77-2702.17 and 77-2704.30, Reissue Revised Statutes of Nebraska, and section 77-2701, Revised Statutes Supplement, 1998; to exempt certain transfers of cellular telephones; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 773. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to the Nebraska State Patrol Retirement Act; to amend section 81-2027.06, Revised Statutes Supplement, 1998; to change the minimum accrual rate; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 780. Introduced by Cudaback, 36; C. Peterson, 35; Quandahl, 31; Schrock, 38; Vrtiska, 1.

A BILL FOR AN ACT relating to the Motor Vehicle Safety Responsibility Act; to amend sections 60-321, 60-502, 60-503, 60-504, 60-511, 60-512, 60-513, 60-514, 60-520, 60-523, 60-524, 60-525, 60-526, 60-533, 60-536, 60-538, 60-539, 60-540, 60-545, 60-546, 60-550, 60-550.01, 60-552, 60-553, 60-554, 60-555, 60-556, 60-558, 60-560, 60-565, 60-567, 60-568, and 60-569, Reissue Revised Statutes of Nebraska; to provide for operator's license, motor vehicle registration, and license plate revocation and seizure as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 782. Introduced by Kiel, 9; Coordsen, 32; Crosby, 29; C. Peterson, 35; Price, 26; Schimek, 27; Suttle, 10.

A BILL FOR AN ACT relating to deaf and hard of hearing persons; to amend sections 20-150, 20-151, 20-156, 20-159, and 71-4727, Reissue Revised Statutes of Nebraska, and sections 71-4720.01, 71-4728, and 71-4732, Revised Statutes Supplement, 1998; to provide for the licensure of interpreters; to provide intent; to redefine a term; to create a board; to provide powers and duties; to provide for a civil penalty and appeal procedures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 785. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to irrigation wells; to provide certain restrictions.

LEGISLATIVE BILL 788. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Reissue Revised Statutes of Nebraska; to create the Game Law Investigation Cash Fund; to provide duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 790. Introduced by Schellpeper, 18; Wickersham, 49.

A BILL FOR AN ACT relating to alcoholic liquor; to amend sections 53-101 and 53-118, Reissue Revised Statutes of Nebraska; to state findings; to regulate the direct shipment of alcoholic liquor; to provide for a transportation permit; to provide and eliminate penalties; to harmonize provisions; to repeal the original sections; and to outright repeal section 53-194.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 791. Introduced by Schellpeper, 18; Baker, 44; Janssen, 15.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-812, Revised Statutes Supplement, 1998; to change provisions relating to transfers of funds; and to repeal the original section.

LEGISLATIVE BILL 793. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-110, 37-201, 37-202, 37-209, 37-218, 37-219, 37-226, 37-227, 37-229, 37-239, 37-246, 37-248, 37-303, 37-314, 37-323, 37-327, 37-404 to 37-406, 37-408 to 37-411, 37-415, 37-416, 37-422, 37-426, 37-427, 37-429 to 37-431, 37-434 to 37-436, 37-438 to 37-440, 37-443 to 37-447, 37-452, 37-457, 37-458, 37-462 to 37-469, 37-471, 37-475 to 37-483, 37-495, 37-503, 37-504, 37-506, 37-508, 37-514, 37-525, 37-527, 37-536, 37-540, 37-547 to 37-550, 37-556, 37-560, 37-601, 37-602, 37-604, 37-607, 37-613, 37-614, 37-617, 37-619, 37-622, 37-706, 37-724, 37-726, 37-728, 37-811, 37-1001, 37-1214, 37-1226, 37-1228, and 37-1254.02, Reissue Revised Statutes of Nebraska; to change provisions relating to the expiration of permits and stamps; to provide for electronic issuance of licenses, permits, stamps, and motorboat registration renewals; to provide fees; to change procedures on the issuance and display of licenses, permits, and stamps; to change permit provisions; to change provisions relating to open seasons, theft of fees, state game refuges, hunter orange, disposition of carcasses, posting of property, limitation of actions, and the importation, exportation, release, and exploitation of wildlife species; to change and eliminate provisions relating to aquaculture, game and fur farming, and dog training; to provide and change penalties; to define and redefine terms; to provide a termination date; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 37-472 to 37-474, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 794. Introduced by Wehrbein, 2; Coordsen, 32.

A BILL FOR AN ACT relating to railroads; to state intent; to provide for monitoring and reporting of possible discontinued or abandoned rail service; and to provide departmental duties.

LEGISLATIVE BILL 796. Introduced by Hartnett, 45; Wehrbein, 2.

A BILL FOR AN ACT relating to the Nebraska Highway Bond Act; to amend sections 39-2201 and 39-2223, Reissue Revised Statutes of Nebraska; to redefine a term; to provide loans to political subdivisions; and to repeal the original sections.

LEGISLATIVE BILL 797. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 20-313, 20-322, 27-504, 28-402, 28-409, 28-413, 28-415, 28-417, 28-418, 28-425, 28-427, 28-432, 28-433, 28-437, 28-438, 28-440 to 28-442, 28-444, 28-1438.01, 37-1254.01, 37-1254.07, 48-232, 48-1102, 48-1902, 71-101.01, 71-105, 71-107, 71-111, 71-112, 71-112.03, 71-113, 71-114, 71-115.01, 71-116, 71-117 to 71-120, 71-122 to 71-124.01, 71-128, 71-129, 71-131, 71-132, 71-138 to 71-140, 71-143, 71-144, 71-150, 71-153, 71-156, 71-161.02 to 71-161.04, 71-161.07, 71-161.09, 71-161.12 to 71-161.15, 71-161.17, 71-161.19, 71-161.20, 71-168.01, 71-170, 71-171.01, 71-1,143, 71-1,144.01, 71-1,144.03, 71-144.04, 71-1,145, 71-1,147 to 71-1,147.02, 71-1,147.06, 71-1,147.07, 71-1,147.09 to 71-1,147.11, 71-1,147.13, 71-1,147.14, 71-1,147.22 to 71-1,147.26, 71-1,147.28, 71-1,147.30 to 71-1,147.36, 71-1,147.52, 71-2404, 71-2405, 71-2407 to 71-2410, 71-2412 to 71-2417, 71-2501, 71-2506, 71-2509, 1 71-5401, 71-5408, 71-6045, 71-7405, 71-7412, 71-7415, 71-7419 to 71-7420, 71-7424, 71-7426, 77-4301, 79-267, 79-296, and 81-687, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405 to 28-408, 28-410 to 28-412, 28-414, 28-416, 28-428, 28-431, 28-1437, 71-101, 71-108, 71-110, 71-121, 71-121.01, 71-141, 71-147, 71-148, 71-151, 71-155, 71-155.01, 71-161.10, 71-162, 71-168, 71-168.02, 71-171.02, 71-1,142, 71-1,147.03, 71-1,147.08, 71-1,147.39, 71-1,147.40, 71-1,147.48, 71-1,147.50, 71-1,147.51, 71-1,147.53 to 71-1,147.57, 71-1,147.59, 71-1536, 71-2023, 71-2024, 71-5403, 71-6721, and 71-7416, Revised Statutes Supplement, 1998; to change and eliminate provisions relating to controlled substances, health care examining boards, emergency drug boxes, drug product selection, wholesale drug distributor licensing, and drug and poison labeling; to change provisions relating to the scope of practice and regulation of pharmacies and pharmacists; to change provisions relating to drug dispensing; to provide and change penalties; to change fees; to create a board; to provide powers and duties; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 28-403, 28-419 to 28-424, 28-439, 28-1438, 28-1438.01, 71-1,144.02, 71-1,145.01, 71-1,146, 71-1,147.04, 71-1,147.05, 71-1,147.15 to 71-1,147.21, 71-1,147.27, 71-1,147.29, 71-1,147.37, 71-1,147.38, 71-1,147.47, 71-2401 to 71-2403, 71-2502 to 71-2505, 71-2507, 71-2508, 71-2510 to 71-2512, 71-5401, 71-5402, 1 71-5405 to 71-5407, 71-7402 to 71-7408, 71-7410, 71-7411, and 71-7413, Reissue Revised Statutes of Nebraska, and sections 28-401, 71-1,147.41 to 71-1,147.46, 71-1,147.49, 71-1,147.58, 71-1,147.60, 71-1,147.61, 71-5404, 71-7409, and 71-7418, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 798. Introduced by Jensen, 20; Thompson, 14.

A BILL FOR AN ACT relating to public health; to amend sections 28-1420, 28-1421, 28-1423, 28-1424, 28-1426, and 28-1428, Reissue Revised Statutes of Nebraska, and section 28-1422, Revised Statutes Supplement, 1998; to change provisions relating to tobacco licenses; to provide duties; to change license fees; to create a fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 801. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to public lettings and contracts; to amend section 73-101, Reissue Revised Statutes of Nebraska; to change provisions relating to bids and bidding; and to repeal the original section.

LEGISLATIVE BILL 803. Introduced by Government, Military and Veterans Affairs Committee: Schimek, 27, Chairperson; Cudaback, 36; Janssen, 15; Kremer, 34; Quandahl, 31; Schmitt, 41; Smith, 48; Vrtiska, 1; and Wickersham, 49.

A BILL FOR AN ACT relating to local government; to amend sections 10-127, 10-131, 10-133, 10-142, 13-503, 13-2202, 23-2323.03, 32-567, 74-1305, 77-2704.31, 77-2711, 77-4105, and 77-4106, Reissue Revised Statutes of Nebraska, and sections 23-2301, 23-2306, 23-2331, 77-3442, and 77-3443, Revised Statutes Supplement, 1998; to authorize creation of municipal counties; to authorize a local sales and use tax; to provide retirement benefits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 804. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to drainage; to adopt the Limited Purpose Sanitary and Improvement District Act.

LEGISLATIVE BILL 807. Introduced by Hartnett, 45; Engel, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4104, Reissue Revised Statutes of Nebraska; to change eligibility requirements under the Employment and Investment Growth Act; and to repeal the original section.

LEGISLATIVE BILL 808. Introduced by Preister, 5; Hartnett, 45.

A BILL FOR AN ACT relating to electric utilities; to require certain information on electric utility bills; to state intent; to define a term; and to provide duties.

LEGISLATIVE BILL 811. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend sections 79-234, 79-237, and 79-240, Reissue Revised Statutes of Nebraska, and section 79-238, Revised Statutes Supplement, 1998; to change provisions relating to the enrollment option program; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 812. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend section 79-808, Reissue Revised Statutes of Nebraska, and sections 79-757, 79-759, 79-760, and 79-1003, Revised Statutes Supplement, 1998; to change provisions of the Quality Education Accountability Act; to state intent; to provide for the School at the Center Program; to provide for assessments and evaluation; to appropriate funds; to change provisions relating to teacher and administrator certificates; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 817. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to schools; to amend sections 9-812 and 77-2715.07, Revised Statutes Supplement, 1998; to adopt the Charter Schools Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 818. Introduced by Preister, 5; Bohlke, 33; Crosby, 29; Hartnett, 45; Kiel, 9; Landis, 46; C. Peterson, 35; Redfield, 12; Schmitt, 41; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to children and vulnerable adults; to provide for a criminal history record information check on child care providers and caregivers; and to provide severability.

LEGISLATIVE BILL 819. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 2-3403, 17-961, 18-2803, 20-162, 23-3501, 23-3554, 23-3594, 23-3597, 29-3703, 30-2624, 30-3402, 32-944, 37-1254.06, 43-245, 44-526, 44-771, 44-772, 44-782, 44-2806, 44-2827.01, 44-5418, 44-6827, 44-7003, 44-7103, 44-7203, 44-7303, 58-212, 60-4,164.01, 60-6,201, 60-6,202, 60-6,204, 68-115, 68-1002, 68-1036.02, 69-2507, 71-185.01, 71-1,147.09, 71-1,147.10, 71-1,147.15, 71-1,200, 71-3,106, 71-2002, 71-2049, 71-2075, 71-2076, 71-2079, 71-2084 to 71-2096, 71-20,112, 71-3401, 71-3608, 71-3613, 71-5033, 71-6053, 71-6601, 71-6603, 71-6606, 71-6609, 71-7702, 76-1304, 77-2702.14, 77-2702.15, 77-2704.12, 77-3504, 81-604.01, 81-604.03, 81-1247, and 83-392, Reissue Revised Statutes of Nebraska, and sections 28-326, 28-372, 30-2627, 30-2639, 68-1006.01, 68-1038, 71-168.02, 71-1,103, 71-1,142, 71-1,147.08, 71-1,147.35, 71-507, 71-511, 71-516.03, 71-533, 71-1637, 1 71-1638, 71-2048.01, 71-2097, 71-20,103, 71-2411, 71-2601, 71-5803.01, 71-5803.02, 71-5803.05, 71-5803.06, 71-5803.08, 71-5803.10, 71-5803.13, 71-5869, 71-6602, 71-6721, 71-6725, 71-6735, 71-7102, 71-7613, 71-7901, 71-8219, 81-2,245.01, 81-2,270, 81-502, 81-651, 81-658, 81-2243, 81-3201, 83-101.06, 83-108, 83-391, and 83-1006, Revised Statutes Supplement, 1998; to adopt the Uniform Facility Licensing Act; to change provisions relating to regulation and licensure of health and human services facilities; to provide for the termination of certain regulation and licensure provisions, the Hospice Licensure Act, and the Nebraska Nursing Home Act; to repeal the Clinical Laboratories Certification Act and provisions regulating boarding homes; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 43-507, 71-5901, 71-5902, 71-5904 to 71-5909, 71-6802 to 71-6815.01, and 71-6817 to 71-6831, Reissue Revised Statutes of Nebraska, and sections 71-5903, 71-6801, and 71-6816, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 823. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Bohlke, 33; Bromm, 23; Hudkins, 21; Jones, 43; Preister, 5; Stuhr, 24; and Connealy, 16.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend sections 46-154, 70-609, 70-624.02, and 70-624.03, Reissue Revised Statutes of Nebraska, and section 11-201, Revised Statutes Supplement, 1998; to change health insurance, bonding, and compensation provisions for boards of directors as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal section 70-617, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 824. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to courts; to amend sections 24-516, 25-1140, 25-1140.09, 25-1542, 25-1904, 25-1907, 25-1908, 25-1911, 25-1913 to 25-1916, 25-1920, 25-1923, 25-1925, 25-1935 to 25-1937, 25-21,233, 25-2728, 25-2731 to 25-2734, 29-611, 29-2302, 29-2306, 29-2308, 29-2317, 29-2319, 29-2525, 31-329, 33-106, 43-112, 43-287.05, 43-2,106.01, 71-3605, 76-715, 76-717, 76-718, 76-720, 76-723, 76-1447, and 77-2023, Reissue Revised Statutes of Nebraska, and sections 24-312, 25-1901, 25-1912, 25-2739, 25-2740, 25-2807, and 30-1601, Revised Statutes Supplement, 1998; to change and eliminate provisions relating to appeals from county court and Small Claims Court; to harmonize provisions; to repeal the original sections; and to outright repeal sections 25-2729, 25-2730, and 25-2735 to 25-2738, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 825. Introduced by Price, 26; Bruning, 3; Chambers, 11; Crosby, 29; Cudaback, 36; Dierks, 40; Hartnett, 45; Hudkins, 21; Janssen, 15; Kiel, 9; C. Peterson, 35; Preister, 5; Robak, 22; Schimek, 27; Schrock, 38; Suttle, 10; Thompson, 14; Tyson, 19; Wehrbein, 2; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to animals; to adopt the Commercial Dog and Cat Operator Inspection Act; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 830. Introduced by Redfield, 12; Baker, 44; Bourne, 8; Brashear, 4; Bromm, 23; Brown, 6; Bruning, 3; Byars, 30; Coordsen, 32; Cudaback, 36; Dierks, 40; Engel, 17; Hartnett, 45; Hilgert, 7; Hudkins, 21; Jones, 43; Kremer, 34; Kiel, 9; Kristensen, 37; Lynch, 13; Dw. Pedersen, 39; C. Peterson, 35; Quandahl, 31; Raikes, 25; Schellpeper, 18; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10; Thompson, 14; Tyson, 19; Vrtiska, 1.

A BILL FOR AN ACT relating to public buildings; to amend section 85-304, Reissue Revised Statutes of Nebraska, and section 85-106, Revised Statutes Supplement, 1998; to eliminate the requirement that a portion of appropriations be used for the acquisition of art work; to eliminate duties of the Nebraska Arts Council, the Board of Regents of the University of Nebraska, and the Board of Trustees of Nebraska State Colleges; to harmonize provisions; to repeal the original sections; and to outright repeal sections 82-317 to 82-329, 85-106.01 to 85-106.03, and 85-304.01 to 85-304.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 831. Introduced by Kiel, 9; Schrock, 38.

A BILL FOR AN ACT relating to political subdivisions; to define terms; to change payment requirements by certain employees for employee benefit plans; and to exempt certain officials from pension or retirement plans.

LEGISLATIVE BILL 833. Introduced by Agriculture Committee: Dierks, 40, Chairperson; Chambers, 11; Cudaback, 36; Hilgert, 7; Robak, 22; Schellpeper, 18; Schrock, 38; Vrtiska, 1; and Connealy, 16; Jones, 43; Schmitt, 41; Bromm, 23.

A BILL FOR AN ACT relating to livestock; to adopt the Competitive Livestock Markets Act; and to declare an emergency.

LEGISLATIVE BILL 834. Introduced by Agriculture Committee: Dierks, 40, Chairperson; Chambers, 11; Cudaback, 36; Hilgert, 7; Robak, 22; Schellpeper, 18; Schrock, 38; Vrtiska, 1; and Connealy, 16; Jones, 43; Schmitt, 41; Bromm, 23.

A BILL FOR AN ACT relating to food; to amend section 81-2,283, Reissue Revised Statutes of Nebraska; to prohibit mislabeled meat or poultry as prescribed; and to repeal the original section.

LEGISLATIVE BILL 836. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 49-805.01, 77-2702.07, 77-2702.14, 77-2702.17, 77-2704.05, 77-2704.24, 77-3509.01 to 77-3509.03, 77-3511, 77-3521, 77-3522, and 77-3529, Reissue Revised Statutes of Nebraska, and sections 77-2701.02, 77-2702.13, 77-2703, 77-2715.02, 77-3501, 77-3510, 77-3512 to 77-3514, 77-3516, and 77-3523, Revised Statutes Supplement, 1998; to adopt the Taxpayer Protection Spending Lid Act; to change income tax, sales tax, and homestead provisions; to eliminate a sales tax exemption; to harmonize provisions; to provide severability; to provide a duty for the Revisor of Statutes; to provide operative dates; to repeal the original sections; to outright repeal section 77-2704.03, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 837. Introduced by Brashear, 4; Bruning, 3; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1463.01, 28-1463.02, 28-1463.03, and 28-1463.05, Reissue Revised Statutes of Nebraska; to change provisions relating to the Child Pornography Prevention Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 838. Introduced by Brashear, 4; Bruning, 3.

A BILL FOR AN ACT relating to tobacco; to amend sections 28-1420, 28-1421, 28-1423 to 28-1425, and 28-1428, Reissue Revised Statutes of Nebraska, and section 28-1422, Revised Statutes Supplement, 1998; to change provisions relating to tobacco licensees and the distribution of tobacco to minors; to define terms; to require notice; to provide duties; to provide for penalties; to provide for enforcement and compliance checks; to create a fund; to distribute fees; to harmonize provisions; to provide severability; to repeal the original sections; and to outright repeal sections 28-1418, 28-1419, 28-1426, 28-1427, and 28-1429, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 840. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to the Nebraska Hospital-Medical Liability Act; to amend sections 44-2825, 44-2829, and 44-2830, Reissue Revised Statutes of Nebraska; to change the amount recoverable under the act; to change funding provisions; and to repeal the original sections.

LEGISLATIVE BILL 842. Introduced by Connealy, 16; Coordsen, 32; Dierks, 40; Vrtiska, 1.

A BILL FOR AN ACT relating to agriculture; to adopt the Agricultural Opportunity Fund Act; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 847. Introduced by Hartnett, 45; Thompson, 14; Bruning, 3.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend section 81-1255, Reissue Revised Statutes of Nebraska; to change provisions relating to the County Visitors Improvement Fund; and to repeal the original section.

LEGISLATIVE BILL 848. Introduced by Hartnett, 45; Bourne, 8; Kiel, 9; Lynch, 13; Preister, 5; Thompson, 14; Bruning, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 1998; to provide income tax adjustments for federal governmental pensions and pensions under the Nebraska State Patrol Retirement Act; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 850. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-2,110 and 43-404, Reissue Revised Statutes of Nebraska; to adopt the Juvenile Detention Regions Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 852. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-247, 43-248, 43-250, 43-251, 43-254.01, 43-277.01, and 43-2,108, Reissue Revised Statutes of Nebraska; to change provisions governing hearings and records in juvenile court proceedings for juveniles alleged to be mentally ill dangerous persons; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 856. Introduced by Hartnett, 45; Bohlke, 33.

A BILL FOR AN ACT relating to foster care; to amend section 71-1903, Revised Statutes Supplement, 1998; to change provisions relating to investigations; and to repeal the original section.

LEGISLATIVE BILL 857. Introduced by Hartnett, 45; Bohlke, 33.

A BILL FOR AN ACT relating to special education; to amend section 71-1902, Reissue Revised Statutes of Nebraska, and sections 79-215, 79-1155, and 83-108.04, Revised Statutes Supplement, 1998; to change provisions relating to the placement of children in foster care and wards of the state; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 861. Introduced by Thompson, 14; Bruning, 3.

A BILL FOR AN ACT relating to Sex Offender Registration Act; to amend sections 29-4002 to 29-4007 and 29-4010, Revised Statutes Supplement, 1998; to change registration eligibility requirements and records; to provide for lifetime registration for certain offenses; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 864. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,196 and 60-6,197, Reissue Revised Statutes of Nebraska; to change provisions relating to driving under the influence; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 866. Introduced by Dw. Pedersen, 39; Tyson, 19.

A BILL FOR AN ACT relating to state institutions; to amend sections 81-101, 81-107, 83-178, 83-1,106, 83-4,109, 83-4,110, 83-4,111, 83-4,112, 83-4,115, 83-4,123, and 84-918, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the Department of Correctional Services; to change provisions relating to inmate treatment and rights and inmate classification; to create the Legislative Advisory Committee for Corrections; to create the Inmate Disciplinary Appeal Board; to change provisions relating to inmate appeals; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-905, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 867. Introduced by Dw. Pedersen, 39; Bromm, 23; Hilgert, 7; Hudkins, 21; Jones, 43; Lynch, 13; Schmitt, 41.

A BILL FOR AN ACT relating to the Department of Correctional Services; to provide duties; and to declare an emergency.

LEGISLATIVE BILL 868. Introduced by Jensen, 20; Dierks, 40; Tyson, 19.

A BILL FOR AN ACT relating to health and human services; to amend sections 81-3002 and 81-3004, Revised Statutes Supplement, 1998; to change partnership intent provisions, accountability, and report provisions; and to repeal the original sections.

LEGISLATIVE BILL 869. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Hudkins, 21; Janssen, 15; Jones, 43; Dw. Pedersen, 39; C. Peterson, 35.

A BILL FOR AN ACT relating to state government; to adopt the Nebraska Telecommuting Act.

LEGISLATIVE BILL 871. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to health and human services; to create the Behavior Health Redesign Review Task Force; and to declare an emergency.

LEGISLATIVE BILL 875. Introduced by Speaker Kristensen, 37; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 1998; to eliminate a transfer of funds; and to repeal the original section.

CARRYOVER RESOLUTIONS

LEGISLATIVE RESOLUTION 1CA. Introduced by Coordsen, 32.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 22:

III-22 "Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to the Legislature. Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

If the Legislature requires that any new program or service be provided by any municipality, county, or other political subdivision or if the Legislature requires the expansion of or a change in any existing program or service, which creation, expansion, or change will result in an increased expenditure of funds by the affected political subdivision, the Legislature shall appropriate the funds necessary to cover the increase as state aid to the affected political subdivision each and every year during which the program or service is required to continue, except that if any municipality, county, or other political subdivision requests the Legislature to create, expand, or change any program or service, the Legislature shall not be required to appropriate the funds necessary to fund the created, expanded, or changed program or service.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to require the Legislature to appropriate funds to political subdivisions for programs or services mandated by the Legislature.
For
Against".

LEGISLATIVE RESOLUTION 2CA. Introduced by Landis, 46.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 "~~At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members~~ All the members of the Legislature shall be elected for ~~a term~~ terms of four years, with the manner of ~~such~~ election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office~~,~~ and the law providing for ~~such~~ redistricting shall ~~where~~ when necessary specify the newly established district which they shall represent for the balance of their ~~term~~ terms. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization.

Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than ~~his or her~~ salary and expenses, ~~and employees~~ except that members of the Legislature may participate in any employee benefit programs or plans in which other state officers are authorized to participate. Employees of the Legislature shall receive no compensation other than ~~their~~ salary or per diem.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to authorize members of the Legislature to participate in employee benefit programs or plans in which other state officers are authorized to participate and to eliminate obsolete language.

For

Against".

LEGISLATIVE RESOLUTION 3. Introduced by Brown, 6; Jensen, 20.

WHEREAS, the 1997 increase in Nebraska personal income was 3.85 percent; and

WHEREAS, the overall level of state and local taxation is 11 percent of personal income; and

WHEREAS, holding spending growth under the rate of personal income growth will result in an incremental lowering of the overall tax burden; and

WHEREAS, using Nebraska personal income growth as the target means the Legislature is responding to the state's economic situation; and

WHEREAS, setting a target early provides a clear strategic objective, especially during times of increasing revenue; and

WHEREAS, setting a target early allows the Legislature to effectively communicate to the public the spending direction of the current biennium; and

WHEREAS, the most effective spending control is the commitment of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That for the 1999-2001 biennium new General Fund appropriations shall not increase more than 3 percent per year over the previous fiscal year's new General Fund appropriations.

LEGISLATIVE RESOLUTION 4CA. Introduced by Kristensen, 37; Coordsen, 32.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At a special election on May 9, 2000, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 "~~At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members~~ All members of the Legislature shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall ~~where~~ when necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization.

Until changed by the Commission on Legislative Compensation, each ~~Each~~ member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. As soon as the same may be legally paid under the Constitution of Nebraska, each member of the Legislature shall receive such salary and expenses as are determined by the Commission on Legislative Compensation, which is hereby created. The commission shall consist of seven members appointed by the Governor and shall meet each two years to establish such salary and expenses. The terms of the members of the commission shall be staggered and shall be fixed by the Legislature. The Legislature shall establish, by law, procedures to be followed by such commission. No serving member of the Legislature shall be on the commission. Members of the commission shall be disqualified from being elected or appointed to the Legislature for a period of four years after the termination of their service on the commission. Members of the Legislature shall receive no pay nor perquisites other than ~~his or her salary~~ their salaries and expenses, and employees of the Legislature shall receive no compensation other than their ~~salary~~ salaries or per ~~diem~~ diems.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to provide for a Commission on Legislative Compensation which, every two years, shall establish the salary and expenses for members of the Legislature.
For
Against".

LEGISLATIVE RESOLUTION 5CA. Introduced by Kristensen, 37; Coordsen, 32.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At a special election on May 9, 2000, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 7:

III-7 "~~At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members~~ All members of the Legislature shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall ~~where~~ when necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of ~~not to exceed one thousand~~ two thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than ~~his or her salary~~ their salaries and expenses, and employees of the Legislature shall receive no compensation other than their ~~salary~~ salaries or per ~~diem~~ diems.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to change the salary for members of the Legislature.
For
Against".

LEGISLATIVE RESOLUTION 6CA. Introduced by Kristensen, 37; Beutler, 28; Brown, 6; Coordsen, 32; Hudkins, 21; Thompson, 14.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 9:

III-9 "No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to~~,~~ or have a seat in the Legislature. No person elected or appointed to the Legislature shall receive any civil appointment to a state office while holding membership in the Legislature or while the Legislature is in session, and all such appointments shall be void. A member of the Legislature who is elected to any other state or local office prior to the end of his or her term in the Legislature shall resign from the Legislature prior to the commencement of the legislative session during which the term of the state or local office will begin.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.
For
Against".

LEGISLATIVE RESOLUTION 8CA. Introduced by Beutler, 28.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 2:

III-2 "The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people. ~~independently of the Legislature.~~ This power may be invoked by petition wherein the proposed measure shall be set forth at length.

If the petition ~~be~~ is for the enactment of a law, it shall be signed by seven percent of the registered voters of the state, and if the petition ~~be~~ is for the amendment of ~~the~~ this Constitution, the petition therefor shall be signed by ten percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State on or before the Tuesday prior to the regular session of the Legislature in the year of the general election in which the proposal would be submitted to the voters. The Secretary of State shall transmit the petition to the Legislature as soon as the Legislature convenes and organizes.

If the petition is for the enactment of a law, the Legislature shall consider the proposed law and may enact it without change or amendment by the end of the legislative session. If the proposed law is enacted by the Legislature, the law shall not be subject to the approval of the Governor and shall be subject to referendum petition as provided in Article III, section 3, of this Constitution.

If the Legislature does not enact the proposed law or if the petition is for the amendment of the Constitution, the Secretary of State shall submit the proposal to the voters at the general election, if the signed petitions are found to be valid and sufficient, and the Legislature may propose an alternative as provided in Article III, section 4A, of this Constitution. ~~who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed.~~

The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election ~~be~~ pursuant to this section are approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one subject.

III-4A "The Legislature may propose laws and constitutional amendments as alternatives to measures proposed pursuant to Article III, section 2, of this Constitution. The Secretary of State shall submit the alternative at the same general election at which the initiative measure will be submitted as provided in Article III, section 2, of this Constitution.

The veto power of the Governor shall not extend to such measures. A measure submitted by the Legislature pursuant to this section shall become a law or part of this Constitution when a majority of the votes cast on the measure at the election at which the measure was submitted, and not less than thirty-five percent of the total vote cast at the election, are cast in favor of the measure. The measure shall take effect upon proclamation by the Governor which shall be made within ten days after the official canvass of the votes. The vote shall be returned and canvassed in the manner prescribed for the canvass of votes for president.

All measures submitted pursuant to this section shall be submitted in a nonpartisan manner and without any indication or suggestion on the ballot that they have been approved or endorsed by any political party or organization. Only the title or proper descriptive words of the measures shall be printed on the ballot.

If a measure submitted pursuant to this section conflicts with a measure submitted pursuant to Article III, section 2, of this Constitution, and both are approved by the people at the same election, the one receiving the highest number of affirmative votes shall become law."

IV-15 "Except as provided in Article III, sections 2 and 4A, of this Constitution, every ~~Every~~ bill passed by the Legislature, before it becomes a law, shall be presented to the Governor. If ~~he~~ the Governor approves he or she shall sign it, and thereupon it shall become a law, but if ~~he~~ the Governor does not approve or reduces any item or items of appropriations, he or she shall return it with his or her objections to the Legislature, which shall enter the objections at large upon its journal, and proceed to reconsider the bill with the objections as a whole, or proceed to reconsider individually the item or items disapproved or reduced. If then three-fifths of the members elected agree to pass the bill with objections, it shall become a law, or if three-fifths of the members elected agree to repass any item or items disapproved or reduced, the bill with such repassage shall become a law. In all cases the vote shall be determined by yeas and nays, to be entered upon the journal. Any bill which ~~shall not be~~ is not returned by the Governor within five days (Sundays excepted) after it ~~shall have~~ has been presented to him or her, shall become a law in like manner as if he or she had signed it; unless the Legislature by their adjournment prevent its return; in which case it shall be filed, with ~~his~~ the Governor's objections, in the office of the Secretary of State within five days after such adjournment, or become a law. The Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, and the items reduced shall remain as reduced unless the Legislature has reconsidered the item or items disapproved or reduced and has repassed any such item or items over the objection of the Governor by a three-fifths approval of the members elected."

XVI-1 "The Legislature may propose amendments to this Constitution. ~~If the same be~~ The amendments may be presented on the ballot as alternative measures to measures initiated by the people as provided in Article III, section 4A, of this Constitution, or may be presented independently of measures initiated by the people. If the proposed amendments are agreed to by three-fifths of the members elected to the Legislature, such proposed amendments shall be entered on the journal, with yeas and nays, and published once each week for three consecutive weeks, in at least one newspaper in each county, where a newspaper is published, immediately preceding the next election of members of the Legislature or a special election called by the vote of four-fifths of the members elected to the Legislature for the purpose of submitting such proposed amendments to the electors. ~~At such election said amendments shall be submitted to the electors for approval or rejection upon a ballot separate from that upon which the names of candidates appear.~~ If a majority of the electors voting on any such amendment adopt the same, it shall become a part of this Constitution, provided the votes cast in favor of such amendment shall not be less than thirty-five ~~per cent~~ percent of the total votes cast at such election. When two or more amendments are submitted at the same election, they shall be so submitted as to enable the electors to vote on each amendment. ~~separately.~~".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to provide for legislative consideration of measures proposed by initiative petitions, to authorize the Legislature to offer alternative measures to measures initiated by the people, to prohibit the veto power of the Governor from extending to such measures, and to provide for the manner of submission and adoption of such measures.

For

Against".

LEGISLATIVE RESOLUTION 9CA. Introduced by Beutler, 28.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, sections 7 and 19 and add a new section 31 to Article III:

III-7 "At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall ~~where~~ when necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of ~~not to exceed~~ one thousand dollars per month during the term of his or her office until his or her compensation is changed in the manner provided by Article III, section 31, of this Constitution. In addition to his or her ~~salary~~ compensation, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than ~~his or her salary~~ the compensation provided by this section and Article III, section 31, of this Constitution and expenses. ~~, and employees of the Legislature shall receive no compensation other than their salary or per diem.~~"

III-19 "The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement. The ~~, nor shall the~~ compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office except that, when there are ~~members elected or appointed to the Legislature or~~ officers elected or appointed to a court, board, or commission having more than one member and the terms of one or more members commence and end at different times, the compensation of all members ~~of the Legislature or~~ of such court, board, or commission may be increased or diminished at the beginning of the full term of any member thereof and except as provided in Article III, section 31, of this Constitution. Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system~~,~~ shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3, of ~~the~~ this Constitution. ~~of Nebraska.~~"

III-31 "There is hereby created the Compensation Review Commission. The members of the commission shall be appointed by the Governor with the approval of the Legislature. There shall be two members appointed from each congressional district and three members from the state at large. Members of the commission shall serve for terms of six years, except that of the members initially appointed, one from each of the congressional districts and one of the at-large members shall be appointed for terms of two years. No more than five members of the commission may belong to the same political party at any one time, and no elected official or employee of the state or any political subdivision or registered lobbyist may serve as a member. The term of an existing member shall terminate on the date a new member is appointed. A member may serve no more than two terms on the commission and shall receive no compensation for the performance of his or her duties, but may be reimbursed for actual and necessary expenses.

The Compensation Review Commission shall prepare and present to the Legislature prior to November 1, 2001, a legislative code of ethics which shall be adopted by the Legislature at the beginning of the legislative session in the year 2002 as part of its permanent rules. The code of ethics shall include procedures for implementing such code. After January 1, 2004, the Legislature may modify the code of ethics as it deems necessary or advisable to effectuate Article III, sections 10 and 16, of this Constitution.

After the Compensation Review Commission has presented a code of ethics to the Legislature and a code of ethics has been adopted as part of the Legislature's permanent rules, the commission shall review compensation for members of the Legislature and submit a report to the Governor and the Legislature recommending any adjustment to such compensation the commission deems appropriate. The Legislature may by legislative bill approve, disapprove, or reduce the recommended adjustment but may not increase the recommended adjustment. Adjustments shall not become effective until so approved by the Legislature, and when so approved shall become effective three calendar months following the end of the legislative session in which the adjustments were approved. If the Legislature maintains a code of ethics in its permanent rules, the commission shall review and submit a report recommending any adjustment to compensation every fourth year.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to create the Compensation Review Commission, to change provisions relating to compensation for members of the Legislature and their employees, and to provide for the adoption of a legislative code of ethics.

For

Against".

LEGISLATIVE RESOLUTION 13CA. Introduced by Kristensen, 37.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 18:

III-18 "The Legislature shall not pass local or special laws ~~in any of the following cases, that is to say:~~

~~For granting divorces.~~

~~Changing the names of persons or places.~~

~~Laying out, opening altering and working roads or highways.~~

~~Vacating roads, Town plats, streets, alleys, and public grounds.~~

~~Locating or changing County seats.~~

~~Regulating County and Township offices.~~

~~Regulating the practice of Courts of Justice.~~

~~Regulating the jurisdiction and duties of Justices of the Peace, Police Magistrates and Constables.~~

~~Providing for changes of venue in civil and criminal cases.~~

~~Incorporating Cities, Towns and Villages, or changing or amending the charter of any Town, City, or Village.~~

~~Providing for the election of Officers in Townships, incorporated Towns or Cities.~~

~~Summoning or empaneling Grand or Petit Juries.~~

~~Providing for the bonding of cities, towns, precincts, school districts or other municipalities.~~

~~Providing for the management of Public Schools.~~

~~The opening and conducting of any election, or designating the place of voting.~~

~~The sale or mortgage of real estate belonging to minors, or others under disability.~~

~~The protection of game or fish.~~

~~Chartering or licensing ferries, or toll bridges, remitting fines, penalties or forfeitures, creating, increasing and decreasing fees, percentage or allowances of public officers, during the term for which said officers are elected or appointed.~~

~~Changing the law of descent.~~

~~Granting to any corporation, association, or individual, the right to lay down railroad tracks, or amending existing charters for such purpose.~~

~~Granting to any corporation, association, or individual~~ when a general law can be made applicable. The Legislature shall not grant any special or exclusive privileges, immunity, or franchise whatever~~;~~ ~~PROVIDED,~~ to any corporation, association, or individual, except that notwithstanding any other provisions of this Constitution, the Legislature shall have authority to separately define and classify loans and installment sales, to establish maximum rates within classifications of loans or installment sales which it establishes, and to regulate with respect thereto. ~~In all other cases where a general law can be made applicable, no special law shall be enacted.~~".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to prohibit special legislation and eliminate references to certain categories of special legislation.
For
Against".

LEGISLATIVE RESOLUTION 20CA. Introduced by Stuhr, 24.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 27:

I-27 "The English language is hereby declared to be the official language of this state. All ~~, and all~~ official proceedings, records, and publications shall be in such language. The ~~, and the~~ common school branches shall be taught in ~~said~~ the English language in public~~, private, denominational and parochial~~ schools.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to eliminate a reference to 'private, denominational, and parochial' schools.
For
Against".

LEGISLATIVE RESOLUTION 21CA. Introduced by Hartnett, 45.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article XIII, section 2:

XIII-2 "(1) Notwithstanding any other provision in the Constitution, the Legislature may authorize any county or incorporated city or village, including cities operating under home rule charters, to acquire, own, develop, and lease real and personal property suitable for use by manufacturing or industrial enterprises and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing such property by construction, purchase, or otherwise.

(2) Notwithstanding any other provision in the Constitution, the ~~The~~ Legislature may also authorize such county, city, or village to acquire, own, develop, and lease real and personal property suitable for use by enterprises as determined by law if such property is located in blighted areas as determined by

law and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing or financing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any real or personal property acquired, owned, developed, or used by any such county, city, or village pursuant to this ~~section~~ subdivision shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenue therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.

(3) Notwithstanding any other provision in the Constitution, the Legislature may also authorize any county, city, or village to acquire, own, develop, and lease real and personal property suitable for use by nonprofit enterprises as determined by law and to issue revenue bonds for the purpose of defraying the cost of acquiring and developing or financing such property by construction, purchase, or otherwise. Such bonds shall not become general obligation bonds of the governmental subdivision by which such bonds are issued. Any real or personal property acquired, owned, developed, or used by any such county, city, or village pursuant to this section shall be subject to taxation to the same extent as private property during the time it is leased to or held by private interests, notwithstanding the provisions of Article VIII, section 2, of the Constitution. The acquiring, owning, developing, and leasing of such property shall be deemed for a public purpose, but the governmental subdivision shall not have the right to acquire such property by condemnation. The principal of and interest on any bonds issued may be secured by a pledge of the lease and the revenue therefrom and by mortgage upon such property. No such governmental subdivision shall have the power to operate any such property as a business or in any manner except as the lessor thereof.

(4) Notwithstanding any other provision in the Constitution, the Legislature may also authorize any incorporated city or village, including cities operating under home rule charters, to appropriate from local sources of revenue such funds as may be deemed necessary for an economic or industrial development project or program subject to approval by a vote of a majority of the registered voters of such city or village voting upon the question. For purposes of this provision, funds from local sources of revenue shall mean funds raised from general taxes levied by the city or village and shall not include any funds received by the city or village which are derived from state or federal sources.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to authorize the use of revenue bonds to develop and lease property for use by nonprofit enterprises as determined by law.
For
Against".

LEGISLATIVE RESOLUTION 23CA. Introduced by Kristensen, 37; Chambers, 11.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VII, section 10, and Article XIII, section 1, and repeal Article VII, sections 13 and 14:

VII-10 "The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of not less than ~~six~~ eight nor more than ~~eight~~ sixteen regents to be designated the Board of Regents of the University of Nebraska, who shall be elected or appointed from and by districts as herein provided and ~~three~~ six students of the University of Nebraska who shall serve as nonvoting members. Such nonvoting student members shall consist of the student body president ~~of the~~ from each of the following campuses: The University of Nebraska at Lincoln; ~~, the student body president of~~ the University of Nebraska at Omaha; ~~, and the student body president of~~ the University of Nebraska Medical Center; the University of Nebraska at Kearney; the University of Nebraska at Wayne; and the University of Nebraska at Chadron. The terms of office of elected members shall be for six years each. The terms of office of student members shall be for the period of service as student body president. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

~~The~~ For purposes of any elected regents who are voting members, the Legislature shall divide the state, along county lines, into as many compact regent districts, as there are regents provided by the Legislature, of approximately equal population, which shall be numbered consecutively. The Legislature shall redistrict the state after each federal decennial census. Such districts shall not be changed except upon the concurrence of a majority of the members of the Legislature. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature. Whenever the state is so redistricted the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term.

For purposes of any appointed regents, the Governor shall appoint such members. The Legislature shall determine the number of appointed members, their terms of office, and the boundaries of the districts represented which may include at large, statewide districts."

XIII-1 "The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrepealable until such debt is paid, except ~~; PROVIDED,~~ that if the Legislature determines by a three-fifths vote of the members elected thereto that (1) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures. The ~~; AND PROVIDED FURTHER, that the~~ Board of Regents of the University of Nebraska~~, the Board of Trustees of the Nebraska State Colleges,~~ and the State Board of Education may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide."

"Article VII, sections 13 and 14, of the Constitution of Nebraska are repealed.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to place Chadron State College and Wayne State College within the University of Nebraska system, to change membership on the Board of Regents of the University of Nebraska, and to eliminate references to the Coordinating Commission for Postsecondary Education and the Board of Trustees of the Nebraska State Colleges from the Constitution.
For
Against".

FIRST DAY - JANUARY 5, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 5, 2000

PRAYER

The prayer was offered by Rev. Harland Johnson, Lincoln, Nebraska.

PRESENTATION OF COLORS

Presentation of Colors by the Nebraska Army and Air National Guard.

ROLL CALL

Pursuant to the provisions of Section 10, Article III of the Constitution of Nebraska, the Ninety-Sixth Legislature, Second Session of the Legislature of Nebraska, assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:05 a.m., on Wednesday, January 5, 2000, was called to order by Speaker Kristensen.

The roll was called and the following members were present:

Aguilar, Raymond
Baker, Thomas C.
Beutler, Chris
Bohlke, Ardyce
Bourne, Patrick J.
Brashear, Kermit
Bromm, Curt
Brown, Pam
Bruning, Jon C.
Byars, Dennis M.
Chambers, Ernie
Connealy, Matt
Coordsen, George
Crosby, LaVon
Cudaback, Jim D.
Dickey, Bob
Dierks, Merton L.
Engel, L. Patrick
Hartnett, D. Paul
Hilgert, John
Hudkins, Carol L.
Janssen, Ray
Jensen, Jim
Jones, James E.
Kiel, Shelley
Kremer, Bob
Kristensen, Doug
Lynch, Dan
Matzke, Gerald E.
Pedersen, Dwite
Pederson, Don
Preister, Don
Price, Marian L.
Quandahl, Mark
Raikes, Ronald E.
Redfield. Pam
Robak, Jennie
Schimek, DiAnna R.
Schmitt, Jerry
Schrock, Ed
Smith, Adrian
Stuhr, Elaine
Suttle, Deborah S.
Thompson, Nancy
Tyson, Gene
Vrtiska, Floyd P.
Wehrbein, Roger R.
Wickersham, Bob

Senator David M. Landis was excused.

MOTION - Adopt Temporary Rules

Senator Hudkins moved that the Rules, as now in our possession, be adopted for today only, Wednesday, January 5, 2000.

The motion prevailed with 46 ayes, 1 nay, 1 present and not voting, and 1 excused and not voting.

RESIGNATION

June 4, 1999

Honorable Governor Mike Johanns
Executive Suite
State Capitol
Lincoln, NE 68509

Dear Governor Johanns:

It is with mixed emotions that I submit my resignation as State Senator of District 35, effective today, June 4, 1999 at 5:00 P.M. I have enjoyed the opportunity of representing my constituents in the Legislature and am proud to have achieved many of the goals I established for myself upon taking office.

I am excited and honored to serve in my new position as Policy Secretary for Health and Human Services and in your administration. Thank you for your vision and foresight in allowing me to assist in achieving consistency and integration in the three agencies, impact legislation and direct initiatives in the health and human services system.

I look forward to helping formulate public policy and finding solutions to meet the health and human service needs and demands of the citizens of Nebraska.

Sincerely,
(Signed) Chris Peterson
State Senator
District 35

MESSAGE FROM THE GOVERNOR

June 9, 1999

President, Speaker Kristensen
And Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear President, Speaker Kristensen and Senators:

On this date, I have appointed Raymond M. Aguilar to fill the vacancy in the 35th Legislative District created by the resignation of Senator Chris Peterson. The appointment will take effect immediately.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

GUBERNATORIAL APPOINTMENT

Greetings To All Who Shall See These Presents Know Ye, that I, Mike Johanns, on behalf of the State of Nebraska and as Governor, do hereby appoint Raymond M. Aguilar as a member of the Senator for Legislative District #35.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on June 9, 1999, and continue until January 3, 2001, provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Mike Johanns
Governor
(Signed) Scott Moore
Secretary of State

MESSAGE FROM THE SECRETARY OF STATE

November 29, 1999

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

I hand you herewith the official appointment and oath of Raymond M. Aguilar, as a Member of the Legislature for the Thirty-fifth District for the unexpired term of Chris Peterson.

Sincerely,
(Signed) Scott Moore
Secretary of State

Enclosures

CERTIFICATE

State of Nebraska

United States of America,)
) ss. Department of State
State of Nebraska)

I, Scott Moore, Secretary of State of the State of Nebraska do hereby certify that Raymond M. Aguilar has been appointed as a Member of the Nebraska Unicameral Legislature from the Thirty-fifth District for the unexpired term of Chris Peterson. The term beginning June 9, 1999, shall continue until January 3, 2001, or such time as he shall satisfactorily perform all the duties imposed upon such officer by law, and until a successor is duly elected and qualified.

I further certify that the foregoing appointment was made by Governor Mike Johanns under the authority granted by the Constitution and by Section 32-566 of the Revised Statutes of Nebraska.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Twenty-ninth day of November in the year of our Lord, one thousand nine hundred and ninety-nine.

(SEAL) Scott Moore, Secretary of State

OFFICIAL OATH

STATE OF NEBRASKA)
) ss.
County of LANCASTER)

"I, Raymond Aguilar, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Member of Legislature, District 35 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote I may give or withhold on any bill, resolution, or appropriation)."*

(Signed) Raymond Aguilar

Subscribed in my presence and sworn to before me this 9th day of June, 1999.

(Signed) Greg Lemon
Deputy Secretary of State

(SEAL)
*Constitution of the State of Nebraska, Article XV, Section One.
For Executive, Judicial Officers and Members of the Legislature.

CERTIFICATE

State of Nebraska

United States of America,)
) ss. Department of State
State of Nebraska)

I, Scott Moore, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the Ninety-Sixth Legislature, Second Session, 2000.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the Ninety-Sixth Legislature, Second Session, 2000.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this Fifth day of January in the year of our Lord, two thousand.

(SEAL) Scott Moore, Secretary of State

DISTRICT/NAME		ELECTED
1	Floyd P. Vrtiska	November 5, 1996
2	Roger R. Wehrbein	November 3, 1998
3	Jon C. Bruning	November 5, 1996
4	Kermit Brashear	November 3, 1998
5	Don Preister	November 5, 1996
6	Pam Brown	November 3, 1998
7	John Hilgert	November 5, 1996
8	Patrick J. Bourne	November 3, 1998
9	Shelley Kiel	November 5, 1996
10	Deborah S. Suttle	November 3, 1998
11	Ernie Chambers	November 5, 1996

12	Pam Redfield	November 3, 1998
13	Dan Lynch	November 5, 1996
14	Nancy Thompson	November 3, 1998
15	Ray Janssen	November 5, 1996
16	Matt Connealy	November 3, 1998
17	L. Patrick Engel	November 5, 1996
18	Bob Dickey	Appointed April 27, 1999
19	Gene Tyson	November 5, 1996
20	Jim Jensen	November 3, 1998
21	Carol L. Hudkins	November 5, 1996
22	Jennie Robak	November 3, 1998
23	Curt Bromm	November 5, 1996
24	Elaine Stuhr	November 3, 1998
25	Ronald E. Raikes	November 3, 1998
26	Marian L. Price	November 3, 1998
27	DiAnna R. Schimek	November 5, 1996
28	Chris Beutler	November 3, 1998
29	LaVon Crosby	November 5, 1996
30	Dennis M. Byars	November 3, 1998
31	Mark Quandahl	Appointed January 5, 1999
32	George Coordsen	November 3, 1998
33	Ardyce Bohlke	November 5, 1996
34	Bob Kremer	November 3, 1998
35	Raymond Aguilar	Appointed June 9, 1999
36	Jim D. Cudaback	November 3, 1998
37	Doug Kristensen	November 5, 1996
38	Ed Schrock	November 3, 1998
39	Dwite Pedersen	November 5, 1996
40	Merton L. Dierks	November 3, 1998
41	Jerry Schmitt	November 5, 1996
42	Don Pederson	November 3, 1998
43	James E. Jones	November 5, 1996
44	Thomas C. Baker	November 3, 1998
45	D. Paul Hartnett	November 5, 1996
46	David M. Landis	November 3, 1998
47	Gerald E. Matzke	November 5, 1996
48	Adrian Smith	November 3, 1998
49	Bob Wickersham	November 5, 1996

MESSAGES FROM THE GOVERNOR

June 10, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the Rural Health Advisory Commission effective July 1, 1999:

APPOINTEE:
Todd Stuckey, M.D., 4600 Valley Rd Ste 200, Lincoln NE 68510

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

June 14, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the Environmental Quality Council:

APPOINTEE:
Robert E. Bettger, 910 Violet Box 187, Fairmont NE 68354

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

June 24, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the attached list of individuals have been appointed to the Nebraska Transit & Rail Advisory Council:

APPOINTEES:
Tom Wais, P O Box 94759, Lincoln NE 68509
Duane Eitel, 3505 S 31, Lincoln NE 68502
Georgia Janssen, R R 1 Box 144, Winside NE 68790
Michael Ongerth, 1416 Dodge, Omaha NE 68179
Greg Wright, 201 N 7, Lincoln NE 68501
Dave Gilfillan, P O Box 94666, Lincoln NE 68509
Roger Figard, 1001 N 6, Lincoln NE 68508
Allan Abbott, 4516 Fir Hollow La, Lincoln NE 68516
Dennis Wilson, 1819 Farnam, Omaha NE 68183
Paul Mullen, 2222 Cuming St, Omaha NE 68102
Ann Boyle, P O Box 94927, Lincoln NE 68509

The attached names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

June 24, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the Rural Health Advisory Commission:

APPOINTEE:
Lisa Yank, 1205 Summit, Sidney NE 69162

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

July 26, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building

Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed to the Beginning Farmer Board:

APPOINTEES:
Roy Frederick, 6420 Ponderosa, Lincoln NE 68510
Dale Pohlmann, 301 W Sherman, Ravenna NE 68869
Gerald Timmerman, 18701 Platteview Rd, Springfield NE 68059
Bill Zutavern, P O Box 158, Dunning NE 68833
Harry Knobbe, 595 15th Rd, West Point NE 68788

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

July 28, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the Nebraska Liquor Control Commission:

APPOINTEE:
Rhonda Flower, 730 18th Street, Gering NE 69361

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

August 10, 1999

President, Speaker Kristensen

and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the Foster Care Review Board:

APPOINTEE:
Barbara Heckman, 702 W Lakeshore Dr, Lincoln NE 68528

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

August 10, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed to the State Personnel Board:

APPOINTEE:
Samuel F. Seever, 6425 Lone Tree Dr, Lincoln NE 68512

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 2, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been reappointed to the Nebraska Investment Council:

APPOINTEE:
Greg Stine, 2215 Stage Coach Rd, Grand Island NE 68801

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 2, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been reappointed to the Board of Educational Lands & Funds:

APPOINTEE:
M. Jane Keller, HC 88 Box 30, Bassett NE 68714

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 16, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been reappointed to the Nebraska Commission on Compulsive Gambling:

APPOINTEE:
Thomas L. Nutt, 1418 8th Ave, Holdrege NE 68949

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 20, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been reappointed to the Nebraska Ethanol Board:

APPOINTEES:
Lee Grove, R R 1 Box 60, Superior NE 68978
Dave Hilferty, 512 Mitchem Ave, Grant NE 69140

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 21, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed to the Volunteer Service Award Benefit Review Board:

APPOINTEES:
Charles Carson, 1623 Willow St, Dakota City NE 67631
Clarence Schweitzer, 9205 W Rock Creek Rd, Valparaiso NE 68065
Robert Tichota, 1767 Colfax, Blair NE 68008
Tim Wessling, 9909 S 9 Ave, Bellevue NE 68123
David Wees, 7408 S 46 Ave, Omaha NE 68157
Travis Mayer, 346 Glenmore Dr, Gretna NE 68028
Keith Wood, HC 64 Box 47, Benkelman NE 69021
Nicholas Ross, R R 1 Box 145, Madrid NE 69150
James Templar, 1795 21st St, Gering NE 69341

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

September 21, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed to the State Emergency Response Commission:

APPOINTEES:
*Christine Bleich, 1062 Y, Lincoln NE 68508
Steve Wood, 2840 Loveland Dr, Lincoln NE 68502

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

September 21, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been reappointed to the State Board of Health:

APPOINTEES:
*James Schiefen, 710 W 5th, Imperial NE 69033
*Linda Lazure, 2321 Country Club Ave, Omaha NE 68104
Samuel Augustine, 9514 Grover St, Omaha NE 68124
David Hoover, 245 S 117th Ave, Omaha NE 68154
Jeffrey Akerson, 2423 Deaver Dr, Sidney NE 69162

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointments

September 28, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed to the Nebraska Arts Council:

APPOINTEES:
R. Paul Sjulin, 872 N Lakeshore, Lincoln NE 68528
Robert Wolfe, 38 Eastridge Dr S, York NE 68467
Thompson Rogers, 9821 Nottingham Dr, Omaha NE 68114
Meredith Zutavern, Box 158 Dismal River Rd, Dunning NE 68833
*Fred Teller, 1520 Crestmoor Dr, Hastings NE 68901

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

October 5, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as Director of Motor Vehicles:

APPOINTEE:
Beverly Neth, 1300 Idylwild Dr, Lincoln NE 68503

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

October 6, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the State Highway Commission:

APPOINTEES:
*John Kingsbury, 220 Rock St, Ponca NE 68770
*Duane Acklie, P O Box 81228, Lincoln NE 68528
Greg Wolford, 702 Airport Rd, McCook NE 69001

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

October 6, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Board of Emergency Medical Services:

APPOINTEES:
Randall Datus, 1207 E 5th, McCook NE 69001
*Chris Becker, R R 1 Box 1A, Alma NE 68920
*Michael Grutsch, P O Box 823, Oxford NE 68967
*Gerald Matzke, 1423 N 8th, Seward NE 68434
*Bruce Beins, R R 1 Box 60A, Republican City NE 68971

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

October 6, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the State Electrical Board:

APPOINTEES:

*James Dietz, 1911 23rd St, Auburn NE 68305
*Riley George, 303 Cherokee Rd, Lexington NE 68850

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

October 7, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Board of Parole:

APPOINTEE:
Mike Gomez, 240 Lakewood Dr, Lincoln NE 68510

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

October 12, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Game and Parks Commission:

APPOINTEE:

Randall Stinnette, R R 1 Box 24, Inland NE 68954

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

October 28, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the State Emergency Response Commission:

APPOINTEES:
Rick Kuckkahn, 505 W 40, Scottsbluff NE 69361
Mark Reimers, 6631 S 107 Cr, Omaha NE 68127

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

October 28, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Board of Public Roads Classifications and Standards:

APPOINTEES:

Timothy Schram, 14602 S 234, Gretna NE 68028
Richard Ruby, 3121 Williamsburg Dr, Lincoln NE 68516
*James Bauer, 309 Morton Dr, Beatrice NE 68310
*Henry Thieman, P O Box 84, Petersburg NE 68652
*James Anderson, 1721 4th Ave, Kearney NE 68847
*Darold Tagge, P O Box 23, Holdrege NE 68949

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

November 1, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as member of the Nebraska Highway Commission:

APPOINTEE:
Jerome Fagerland, HC 69 Box 92, Atkinson NE 68713

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

November 23, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Board of Public Roads Classifications & Standards:

APPOINTEE:
Henry Vieregger, 10628 Decatur St, Omaha NE 68144

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

November 23, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the State Emergency Response Commission:

APPOINTEE:
Kim Herald, 1010 W 22, Kearney NE 68847

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

November 23, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Crime Victims Reparation Committee:

APPOINTEES:
*Scot Ford, 1505 G, South Sioux City NE 68776
William Brueggemann, 809 1st Ave, Plattsmouth NE 68048

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

December 29, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Public Employees Retirement Board:

APPOINTEES:
Daniel Contonis, 907 Cheyenne Ave, Alliance NE 69301
Rick Black, Box 27, Murray NE 68409

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

December 29, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Commission of Industrial Relations:

APPOINTEES:
G. Pete Burger, R R 4 Box 194, McCook NE 69001
William Blake, 6601 Park Crest Dr, Lincoln NE 68506

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

December 29, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Tax Equalization & Review Commission:

APPOINTEE:
Mark Reynolds, 2102 Franklin Dr, Papillion NE 68133

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

December 29, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Game and Parks Commission:

APPOINTEE:
Marvin Westcott, 1605 Arthur Dr, Holdrege NE 68949

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

ATTORNEY GENERAL'S OPINIONS

Opinion #99031

DATE:	July 21, 1999
SUBJECT:	Necessity of Appropriation for Board of Educational Lands and Funds
REQUESTED BY:	Senator Tom Baker, Legislative District 44
WRITTEN BY:	Don Stenberg, Attorney General Mark D. Starr, Assistant Attorney General

You have asked whether the Legislature has the authority to appropriate funds for the operation and administration of the Board of Educational Lands and Funds. Contact with your office for clarification reveals some desire to use the appropriation process to exert additional control over the Board, there being some concern about the Board's current operation.

To the extent you are referring to funds derived from taxation, the answer is "yes." "Each Legislature shall make appropriations for the expenses of the Government...." Neb. Const. Art. III, Section 22. And "[n]o money shall be drawn from the treasury except in pursuance of a specific appropriation made by law." Neb. Const. Art. III, Section 25. The Court referred to these provisions in *Board of Regents v. Exon*, 199 Neb. 146, 256 N.W.2d 330 (1977), stating:

> The expenditure of the general funds of the state is under the control of the Legislature and it is the duty and responsibility of the Legislature to make the appropriations necessary for the operation of state government.

Id. at 150-51, 256 N.W.2d at 333.

But the Legislature's responsibility, and hence control, over funds derived from the Board's administration of school lands is more limited, as discussed in 1977-78 Rep. Att'y Gen. 379, Opinion No. 249, dated April 24, 1978, 1977-78 Rep. Att'y Gen. 372, Opinion No. 256, dated June 23, 1978, Op. Att'y Gen. No.

250 (April 7, 1982) and Op. Att'y Gen. No. 178 (January 17, 1984). ***See also*** Op. Att'y Gen. No. 91052 (June 5, 1991).

In the April 1978 opinion it was concluded that Article VII, Section 9, of the state constitution, a provision which directs that certain funds be used exclusively for the support and maintenance of the common schools, "fully and completely sets apart and appropriates the income from the unsold school lands for specific purposes and no appropriation of such income by the Legislature is necessary." The author also opined that the income from unsold school lands is held in trust and is not susceptible to appropriation for general governmental purposes, observing that "the Constitution contains no authority for the Legislature to prescribe the duties and powers of the Board of Educational Lands and Funds" as administrator of these trust funds.

The latter conclusion was rooted in *Board of Regents of the University of Nebraska v. Exon*, 199 Neb. 146, 256 N.W.2d 330 (1977), a case which noted the constitutional source of the authority held by the Board of Regents, acknowledged the intent to vest that body with substantial independence from legislative control, and distinguished between funds derived from taxation and those coming from other sources like tuition or donations. The legislature has control of the former but the Board has control of the latter in its capacity as trustee, it was held. The positions of the Board of Regents and the Board of Educational Lands and Funds are obviously similar with respect to the funds over which they have oversight. Compare Neb. Const., Art. VII, Sec. 10 ("The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of not less than six nor more than eight regents to be designated the Board of Regents of the University of Nebraska....") with Neb. Const., Art. VII, Sec. 6 ("The general management of all lands set apart for educational purposes shall be vested, under the direction of the Legislature, in a board of five members to be known as the Board of Educational Lands and Funds."). We believe the case remains a useful guide. Therein the court held that the phrase, "under the direction of the Legislature," referred to enabling legislation which vested the general governance of the University in the Board, not to directions for the governance of the University. Accordingly, the Legislature would have an obligation to enact statutes vesting the management of school lands in the Board of Educational Lands, but the responsibility for the management would then rest in the Board.

Even if one does not accept the view that Article VII, Section 9 of the Nebraska Constitution contains a self-executing appropriation to the Board, the Legislature has limited power over the purse strings when it comes to constitutionally created entities such as the Board of Educational Lands and Funds, as evidenced by the following language from the *Board of Regents* case:

> The Legislature can not use an appropriation bill to usurp the powers or duties of the Board of Regents and to give directions to the employees of the University. The general government of the University must remain vested in the Board of Regents. In prescribing the powers and duties of

> the Regents a legislative act must not be so detailed and specific in nature as to eliminate all discretion and authority on the part of the Regents as to how a duty shall be performed.

199 Neb. at 149, 256 N.W.2d at 333.

The June 1978 opinion concluded that a bill which limited increases in the State's annual budget did not apply to trust funds held by entities such as the Board of Educational Lands and Funds.

The 1982 opinion addressed a statute which gave the Transportation Services Bureau authority over purchases of all state vehicles. The opinion concluded that this did not apply to the Board of Educational Lands and Funds, due to its trust responsibility.

The 1984 opinion involved a similar question. This office was asked whether a statute requiring pre-approval by Central Data Processing of computer upgrades applied to the Board of Educational Lands and Funds. And the answer given was the same. The legislature could not delegate the Board's constitutionally vested powers and duties by such a statute.

To summarize, we believe the Legislature does have power to make appropriations for the operation and administration of the Board of Educational Lands and Funds. But that power probably does not extend to funds derived from the administration of school lands. Further, to the extent the Legislature does have power to direct the use of funds it appropriates for the operation and administration of the Board, it may only do so in broad brush strokes. It cannot employ the appropriation process to usurp the authority constitutionally delegated to the Board.

Sincerely,
Don Stenberg
Attorney General
(Signed) Mark D. Starr
Assistant Attorney General

pc: Mr. Patrick O'Donnell
Clerk of the Legislature
26-92-10.2

Opinion #99037

DATE: August 5, 1999

SUBJECT: Constitutionality of LB 452, introduced in the 1999 regular session. Whether it violates the prohibitions regarding the Legislature's binding of future Legislatures, and the incurring of state indebtedness exceeding one hundred thousand dollars in the aggregate.

REQUESTED BY: Senator David M. Landis

WRITTEN BY: Don Stenberg, Attorney General
Charlotte R. Koranda, Assistant Attorney General

This opinion is written in response to your request for an opinion regarding the constitutionality of LB 452, introduced in the 1999 regular session and currently pending in the Education Committee.

You have asked two questions. You asked whether section 7 of LB 452 would violate the Nebraska Constitution's prohibition regarding the Legislature's binding of future Legislatures. Second, you asked whether LB 452 would violate the Nebraska Constitution's prohibition regarding the incurring of state indebtedness as provided in Article XIII, § 1.

LB 452

LB 452 consists of ten sections. The Legislature's public interest goal is to enhance the credit ratings on bonds issued by Nebraska school districts, which would reduce the interest costs on the bonds and therefore reduce the amount paid by the local taxpayers. The credit ratings on the bonds would be enhanced through a guarantee that the State Treasurer would make any bond payments not made by the school district. Under the bill, a paying agent who had not received a school bond payment by one business day prior to its due date, would be required to notify the State Treasurer. The State Treasurer would make the bond payment upon a determination that the school district would not make the payment by its due date, and would withhold the same amount from the next payment or payments of state aid due to the school district. In section 7, the State covenants with the purchasers and owners of bonds that it will not repeal, revoke, rescind, modify or amend LB 452 so as to limit or impair the rights and remedies granted therein. The last section of LB 452 provides that if any other section is declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining portions.

Legislature's Binding of Future Legislatures

The issue of one legislature binding or restricting future legislatures was first addressed by the Nebraska Supreme Court in *State ex rel. Stenberg v. Moore*, 249 Neb. 589, 544 N.W.2d 344 (1996). In that case the Legislature enacted a law (LB 507) which placed requirements on certain types of future legislation. If legislation was projected to increase total inmate population in Nebraska, then it was required to include cost-estimate provisions and a separate appropriations bill had to be enacted in the same legislative session. Any applicable legislation which did not contain these requirements would be null and void.

The Nebraska Supreme Court found that LB 507 violated Neb. Const. art. III, §§ 1, 13, and 14 by attempting to restrict the constitutional power of a succeeding legislature to legislate. Article III, § 1 provides, in relevant part:

> [T]he legislative authority of the state shall be vested in a Legislature consisting of one chamber. The people reserve for themselves, however, the power to propose laws, and amendments to the constitution, and to enact or reject the same at the polls, independent of the Legislature.

Article III, § 13 provides, in relevant part:

> No bill shall be passed by the Legislature unless by the assent of a majority of all members elected and the yeas and nays on the question of final passage of any bill shall be entered upon the journal.

Article III, § 14 provides, in relevant part:

> No bill shall contain more than one subject . . . No law shall be amended unless the new act contains the section or sections as amended and the section or sections so amended shall be repealed.

The supreme court based its decision on the Legislature's plenary authority to enact laws for the accomplishment of any public purpose not restricted by the Constitution.

> In Nebraska, the proposition that one legislature cannot bind a succeeding legislature is derived from the constitutional power of the Legislature to legislate. The Legislature has plenary legislative authority except as limited by the state and federal Constitutions . . . The Nebraska Constitution is not a grant, but, rather, is a restriction on legislative power, and the Legislature may legislate upon any subject not inhibited by the Constitution . . . Therefore, absent a constitutional restriction on the legislative power, one legislature cannot restrict or limit the right of a succeeding legislature to exercise the power of legislation.

State ex rel. Stenberg, 249 Neb. at 595, 544 N.W.2d at 349.

Section 7 of LB 452, in relevant part, states as follows:

> The state hereby covenants with the purchasers and owners of bonds and other obligations issued by school districts that it will not repeal, revoke, or rescind sections 1 to 9 of this act or modify or amend such sections so as to limit or impair the rights and remedies granted by such sections. . . .

It is our opinion that section 7 of LB 452 violates the Nebraska Constitution by restricting the constitutional power of a succeeding legislature to repeal, revoke, rescind, modify or amend LB 452. The Constitution has not restricted the right of the Legislature from legislating on the subject matter contained in LB 452. The current Legislature does not have the authority to restrict or limit the right of succeeding legislatures to exercise the power of legislation on the subject matter contained in LB 452. "'The authority of the legislature is limited to the period of its own existence. One general assembly cannot bind a future one.'" *State ex rel. Stenberg*, 249 Neb. at 594, 544 N.W.2d at 348 (citation omitted).

"The general rule is set out in 82 C.J.S. *Statutes* § 9 at 24-25 (1953):

> 'One legislature cannot bind a succeeding legislature or restrict or limit the power of its successors to enact legislation, except as to valid contracts entered into by it, and as to rights which have actually vested under its acts, and no action by one branch of the legislature can bind a subsequent session of the same branch. . . .' "

State ex rel. Stenberg, 249 Neb. at 593, 544 N.W.2d at 348.

State Indebtedness in Excess of $100,000

Article XIII, § 1 of the Nebraska Constitution generally prohibits the state from incurring a debt exceeding of one hundred thousand dollars in the aggregate.

> The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrepealable until such debt is paid; . . . .

Neb. Const. art. XIII, § 1.

We have indicated previously that the term "debts," for purposes of Article XIII, § 1, may be defined as "any financial obligations contracted by the State in amounts exceeding one hundred thousand dollars to be repaid in future periods for which a current appropriation of funds has not been made." Op. Att'y Gen. No. 93071 (Sept. 1, 1993).

" 'One purpose of the constitutional limitation upon state indebtedness is to prevent the anticipation of revenue by the creation of obligations to be paid from revenue to be received in future fiscal periods . . . Obligations which are to be paid from revenue subject to appropriation by future Legislatures are subject to the state debt limitation provision.' " *State ex rel. Douglas v. Thone*, 204 Neb. 836, 849, 286 N.W.2d 249, 255 (1979) (citing *State ex rel. Meyer v. Steen*, 183 Neb. 297, 160 N.W.2d 164 (1968)).

"The general rule is that an obligation for which an appropriation is made at the time of its creation from funds already in existence, or for which definite provision has been made, is not within the operation of a limitation of indebtedness provision . . . However, a declaration of the Legislature for which money will or may in the future be expended is not an appropriation." *State ex rel. Douglas*, 204 Neb. at 850-51, 286 N.W.2d at ..

Sections 4 and 7 of LB 452 are pertinent to the issue of state indebtedness. Section 4 states as follows:

> If the [school] district indicates that it will not make the payment by the date on which it is due, the State Treasurer shall forward the amount in immediately available funds necessary to make the payment of the principal of or interest on the bonds or other obligations of the school district to the paying agent and shall withhold such amount from the next succeeding payment of state aid pursuant to the Tax Equity and Educational Opportunities Support Act. If the amount of such next succeeding payment is insufficient to pay the amount necessary, the State Treasurer shall withhold amounts from each succeeding payment of state aid under the act, including payments to be made in succeeding fiscal years but not more than twelve months' worth of payments, until the total payment of principal and interest has been withheld. A school district which does not receive any state aid under the act does not qualify for state assistance in making timely payment of its bond or other obligations under sections 1 to 9 of this act.

Section 7 of LB 452, in relevant part, states as follows:

> [T]his section does not require the state to continue the payment of state aid to any school district or limit or prohibit the state from repealing, amending, or modifying any law relating to the amount of state aid to schools or the manner or timing of payment. Sections 1 to 9 of this act do not create a debt of the state with respect to such bonds or other obligations within the meaning of the Constitution of Nebraska and do not create any liability except to the extent provided in such sections.

LB 452 obligates the state to make a school district's bond payment upon a determination that the school district will not make the payment by the date on which it is due. No money is appropriated for this purpose. Section 4 requires the State Treasurer to use "immediately available funds," and the bill includes requirements for payments in succeeding fiscal years. Since there is no cap on the state's obligation to make a school district's bond payment, and the state is limited to withholding not more than twelve months' worth of state aid due to that school district, it is possible that the state may not recover all it has expended. Debt exceeding one hundred thousand dollars in the aggregate for which a current appropriation of funds has not been made violates Article XIII, § 1 of the Nebraska Constitution. Therefore, we believe this portion of LB 452 violates Article XIII, § 1 notwithstanding the language of section 7.

One could argue that the state has appropriated funds for this purpose through the appropriation of state aid pursuant to the Tax Equity and Educational Opportunities Support Act (TEEOSA). However, the language in section 4 of LB 452 indicates that the state aid appropriated to the school may be insufficient to cover the bond payment, and authorizes the State Treasurer to withhold TEEOSA payments from future fiscal years, up to twelve months' worth of payments. Therefore, even if one concludes that the state has appropriated funds to cover a bond payment through TEEOSA appropriations, LB 452 obligates the state to pay a school district's bond payment even when appropriated TEEOSA funds are insufficient to cover the bond payment.

Even though the state is not the primary obligor of the bonds, a secondary or contingent obligation is still subject to Neb. Const. art. XIII, § 1.

> The state is not to be the primary obligor on the bonds. However, previous opinions of this court, as well as the opinions of other courts which have had occasion to consider the question, make it very clear that even though the obligation of the state may be secondary or contingent, the obligation is nonetheless a debt within the meaning of Article XIII, section 1, Nebraska Constitution.

State ex rel. Douglas, 204 Neb. at 846, 286 N.W.2d at 254.

In your letter requesting an Attorney General's opinion, you asked us to address any other constitutional issues which deserve attention. In the course of our review we have found no other constitutional violations of LB 452.

Sincerely yours,
DON STENBERG
Attorney General
(Signed) Charlotte R. Koranda
Assistant Attorney General

42-68-10.1

Opinion #99041

DATE: September 16, 1999

SUBJECT: Whether volunteer firefighters are entitled to benefits under Neb. Rev. Stat. § 48-115(3), if they incur injuries while responding to a call, but before they have vacated the premises where they received the call.

REQUESTED BY: Senator Carol Hudkins
District 21

WRITTEN BY: Don Stenberg, Attorney General
Lisa D. Martin-Price, Assistant Attorney General

You have requested an Attorney General's Opinion concerning the language of Neb. Rev. Stat. § 48-115(3), as it pertains to volunteer firefighters who are injured while responding to calls. Specifically, you ask whether additional legislation is needed to clarify its meaning.

Under the Nebraska Workers' Compensation Act, Neb. Rev. Stat., § 48-101, et. seq., employees are entitled to benefits when they incur injuries arising out of, and in the course of their duties. However, a general principle of workers' compensation law, known as the going and coming rule, provides that employees are not entitled to benefits for injuries suffered while traveling to and from work, subject to some exceptions.[1] One of these exceptions includes coverage for police officers and firefighters who are considered "on call" at all times. ***See*** 1 Arthur Larson & Lex K. Larson, ***Larson's Workers' Compensation Law***, § 14.05[7] (1999); ***Estate of Soupene v. Lignitz,*** 960 P.2d 205, (Kan. 1998). In Nebraska, the Legislature has enacted a statute codifying this exception to the going and coming rule as it relates to volunteer firefighters. The statute, in pertinent part, states that volunteer firefighters:

> [S]hall be considered as having entered and as acting in the regular course and scope of their employment when traveling from any place from which they have been called to active duty to a fire station or other place where firefighting equipment that their company or unit is to use is located or to any activities that the volunteer firefighters may be directed to do by the chief of the fire department or some other person authorized to act for such chief.

Neb. Rev. Stat. § 48-115(3) (Laws 1999, LB 216 §1).

You requested an interpretation of this statute, specifically with regard to the phrase "when traveling from any place from which they have been called," stating that a dispute has arisen about its exact meaning. Specifically, you state that some insurance companies and lawyers have interpreted the phrase "any place" to mean the premises where the firefighter receives the call. Under this interpretation, a firefighter would not be protected until he or she actually leaves the premises and begins traveling to the other location to which he or she has been called, and would not be entitled to benefits for injuries sustained before such time. For example, a firefighter who receives a call at home and falls down the stairs while responding to the call, would not be protected under this interpretation, but the same firefighter would be protected for injuries sustained in a car accident upon immediately leaving his or her driveway.

In considering whether or not the terms of the statute need to be construed, the Nebraska Supreme Court has said that statutory language should to be given its plain and ordinary meaning, and construction should not be employed to ascertain a statute's meaning when the words are plain, direct, and unambiguous. ***Kimball v. Dept. of Motor Vehicles,*** 255 Neb. 430, 568 N.W.2d 439 (1998). However, where words are reasonably ambiguous, or interpretation is required, a statute may be subject to construction. ***Id.*** The process by which statutes are construed was recently discussed by the Nebraska Court of Appeals in its opinion in ***McDaneld v. Fischer,*** 8 Neb. App. 160, 589 N.W.2d 172, (1999), where the Court said:

> When construing a statute, a court must determine and give effect to the purpose and intent of the Legislature as ascertained from the entire language of the statute, it being the court's duty to discover, if possible, the Legislature's intent from the language of the statute itself. ***See In re***

> ***Interest of M.J.B.,*** 242 Neb. 671, 496 N.W.2d 495 (1993). However, the law is that when statutory language is ambiguous and must be construed, recourse should be had to the legislative history to determine the lawmaker's intent. ***Pearson v. Lincoln Telephone Co.,*** 2 Neb. App. 703, 513 N.W.2d 361 (1994).

McDaneld v. Fischer, 8 Neb. App. 160, 165, 589 N.W.2d 172, 176, (1999).

In this case, the statute is subject to construction because of the ambiguity of one of its key terms. On the one hand, the term "traveling" is unambiguous, as the word "travel" simply means "[t]o go from one place to another at a distance; to journey." ***Black's Law Dictionary,*** 5th Ed. (1979). While on the other hand, the term "place" "is a very indefinite term," ***Black's Law Dictionary,*** 5th Ed. (1979), and, ". . . in legal parlance, it is equally indefinite and the extent of the locality designated by it must generally be determined by the connection in which it is used." ***Petition of Christensen,*** 231 P.2d 152, 154, 104 Cal. App. 2d 375 (1951). Furthermore, depending on the context in which the term is used, it "may, or may not, signify a specific point." ***Gerald v. American Cas. Co. of Reading, Pa.,*** 249 F. Supp. 355, 357 (D.C.N.C. 1966).

As stated above, when construing a statute, the intent and purpose of the Legislature must be given effect, and, when necessary, the legislative history of the act in question may be examined. ***McDaneld v. Fischer,*** 8 Neb. App. 160, 165, 589 N.W.2d 172, 176 (1999); ***Southern Neb. Rural P.P. Dist. v. Nebraska Electric,*** 249 Neb. 913, 546 N.W.2d 315 (1996). In this case, the relevant language was added to the Nebraska Workers' Compensation Act in 1963 following the passage of LB 366. Upon examination of the legislative history of the Act, the Legislature's intentions are clear. The Introducer's Statement of Purpose states that the purpose of the statute was to protect firefighters from "the time the fire alarm is sounded," meaning that firefighters should be protected under the Workers' Compensation Act from the moment they begin traveling from the place, or more specifically, the point where they received the call to wherever they are required to go. Thus, in the previous example, the firefighter who receives a call while at home and falls down the stairs while responding to that call, would be entitled to workers' compensation benefits under the Act.

In sum, while adding additional language to the statute to clarify its meaning certainly would be a viable option, it is probably unnecessary in this case where a simple inquiry into the legislative history of the Act reveals its intended meaning.

[1] For further information on the nature and scope of the going and coming rule and its exceptions, ***See*** 1 Arthur Larson & Lex K. Larson, ***Larson's Workers' Compensation Law***, §§ 13.01-17.06, (1999).

Sincerely yours,
DON STENBERG
Attorney General

(Signed) Lisa D. Martin-Price
Assistant Attorney General

pc: Patrick O'Donnell, Clerk of the Legislature
18-28-18

Opinion #99048

DATE: November 15, 1999

SUBJECT: Proposed amendment to LB 523, the Nurse Licensure Compact

REQUESTED BY: Deborah S. Suttle, Senator
Nebraska State Legislature

WRITTEN BY: Don Stenberg, Attorney General
James D. Smith, Assistant Attorney General

OPINION REQUEST:

LB 523, also known as the Nurse Licensure Compact, is pending on General File in the Unicameral. On April 5, 1999, we issued opinion # 99014 that LB 523 would likely constitute an impermissible delegation of legislative power.

Your opinion request submitted a list of proposed amendments which you described as enabling language. You noted that proposed Amendment #5 is intended to address the issue of unconstitutional delegation of legislative authority. Proposed Amendment #5 states as follows:

> After the effective date of this legislation, the Department may withdraw this state from the Nurse Licensure Compact if the Department becomes aware that a state that is a party to the compact has changed that state's requirements for licensing a nurse and that the state's requirements, as changed, are substantially lower than the requirements for licensing a nurse in this state.

As we understand your opinion request, you wish us to review the Proposed Amendment #5 to determine if it resolves our prior opinion that the Nurse Licensure Compact constitutes an unconstitutional delegation of legislative authority.

CONCLUSIONS:

1. Proposed Amendment #5 creates an added problem of unconstitutional delegation of legislative authority by delegating to an administrative agency what amounts to the authority to repeal the Nurse Licensure Compact.

2. Proposed Amendment #5 contradicts the withdrawal provisions of the Nurse Licensure Compact [Article X(a)], which provide that a "party state may withdraw from this compact by enacting a statute repealing the same . . . ."

3. Proposed Amendment #5 creates the potential for considerable uncertainty for any future issues related to withdrawal from the Compact because of its unconstitutional nature and contradiction with the remaining Compact language.

4. The nature of an interstate compact presumes party states have enacted substantially the same compact language. Contradictions in compact withdrawal statutes among party states are contrary to the entire concept of an interstate compact.

5. One way to address a concern about an unconstitutional delegation of legislative authority would be by an amendment to LB 523 requiring the Department to determine whether a party state's qualifications for nursing licenses are the substantial equivalent of Nebraska's minimum qualifications. Such a determination could be made a prerequisite to Nebraska's recognition of home state licenses issued by each party state.

ANALYSIS:

Overview of LB 523, the Nurse Licensure Compact:

LB 523, hereafter referred to as the Nurse Licensure Compact, could accurately be described as model legislation providing for information sharing and reciprocity among party states concerning the practice of nursing. It is our understanding the compact language has been enacted by the states of Arkansas, Maryland, North Carolina, Texas, and Utah. The model compact language is a product of the efforts of the National Council of State Boards of Nursing, a nonprofit entity whose membership consists of the boards of nursing of all 50 states, the District of Columbia, and five United States territories.

The Nurse Licensure Compact allows a nurse licensed in her "home state" to practice nursing in other compact party states by party state recognition of the home state license. A "home state" is defined as "the party state which is the nurse's primary state of residence". A nurse can hold a license in only one party state at a time, which is to be the license issued by the home state. A nurse who intends to change her primary state of residence is to apply for licensure in the new home state. A nurse seeking a license in her home state must meet the home state's qualifications for a license and license renewal.

Under the Nurse Licensure Compact, a nurse must comply with the nursing practice laws applicable to the state where the patient is located at the time care is provided. The home state can discipline the nurse's license. In addition, any party state can take action against a nurse's privilege to practice nursing in a party state. Disciplinary action by the home state or adverse action by a party state can be based upon factual findings of the nursing regulatory body in the home or party states.

The Nurse Licensure Compact also has provisions for reporting and sharing investigative, disciplinary, and adverse action information among the party states as well as other information sharing provisions. Finally, there are provisions which permit any party state to unilaterally withdraw from the Compact by legislative enactment to take effect six months after notice of withdrawal. There are no penalty provisions for withdrawal.

Proposed Amendment #5:

The power to repeal legislation is vested in the legislature. ***State of Nebraska ex rel. Stenberg v. Moore***, 249 Neb. 589, 544 N.W.2d 344 (1996). The legislature cannot delegate its power to repeal prior legislative acts. ***Nahlen v. Woods***, 504 S.W.2d 749 (Ark. 1974).

Proposed Amendment #5 would give the Nebraska Department of Health and Human Services Regulation and Licensure ("Department") the power to withdraw the State of Nebraska from the compact, which would have the same effect as repealing the Nurse Licensure Compact. Thus, Proposed Amendment #5 would be an unconstitutional delegation of the legislature's power.

In addition, Proposed Amendment #5 conflicts with Article X(a) of the Nurse Licensure Compact, which states as follows:

> Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until six months after the withdrawing state has given notice of the withdrawal to the executive heads of all other party states.

The contradiction between Proposed Amendment #5 and Article X(a) is obvious and would create considerable uncertainty in the event Nebraska should ever desire to withdraw from the Nurse Licensure Compact after enactment. Scenarios could arise such as the Department purporting to withdraw Nebraska from the compact without a specific repeal of the compact by the legislature, uncertainty as to whether a compact even exists among "party states" on the issue of how to withdraw, and other party states questioning whether a withdrawal has occurred, all of which can only create general confusion as to who can legally practice nursing in Nebraska.

Our prior Opinion # 99104 - the Unconstitutional Delegation of Legislative Authority:

Our prior Opinion # 99104, dated April 5, 1999, was in response to your request to review the constitutionality of the Nurse Licensure Compact in connection with Kansas Attorney General Opinion No. 99-3. The Kansas Attorney General's opnion [sic] concluded that the Nurse Licensure Compact would be an unconstitutional delegation of legislative authority. We agreed with the Kansas Attorney General and also concluded that the Nurse Licensure Compact would unconstitutionally delegate legislative power by purporting to allow the legislatures of other states to establish qualifications for nurses practicing in Nebraska.

Although we normally do not suggest methods for amending legislation to resolve constitutionality concerns, your opinion request notes you are eager to proceed with legislation to enact the Nurse Licensure Compact. In order to assist you and avoid the need for repeated opinion requests on proposed amendments, we make the suggestion that you consider an amendment to LB 523 requiring the Department to determine whether a party state's qualifications for a nursing license are the substantial equivalent of Nebraska's minimum qualifications. The amendment would make such a determination a prerequisite for Nebraska's recognition of home state licenses issued by each party state.

Neb. Rev. Stat. § 71-1,132.15 currently provides for the Department to issue a nursing license by endorsement to a nurse licensed in another state upon a Department determination that the nurse meets the qualifications required of a nurse in this state. There are other examples of substantial equivalency provisions. See, Neb. Rev. Stat. § 44-501(6) (Department of Insurance authority to make determinations whether fire insurance provisions are the "substantial equivalent of the minimum provisions of the standard policy" required by Nebraska); Neb. Rev. Stat. § 71-5189 (Department of Health and Human Services Regulation and Licensure may issue certificates to out-of-hospital emergency care providers holding licenses from another jurisdiction upon Department and board determination that other state licensing standards are the "substantial equivalent" of Nebraska's); Neb. Rev. Stat. § 64-204 (Notary public acknowledgments accepted which contain certifying language which is the "substantial equivalent" of Nebraska's certifying language). Nebraska's Uniform Licensing Law also allows for the licensing of health professionals licensed in other states upon the Department and/or professional boards making determinations whether out of state licensing requirements are "comparable" to Nebraska's requirements. See, Neb. Rev. Stat. §§ 71-139 and 71-139.01.

Sincerely,
DON STENBERG
Attorney General
(Signed) James D. Smith
Assistant Attorney General

31-558-13

Opinion #00001

DATE: January 3, 2000

SUBJECT: Constitutionality of Proposed Legislation Authorizing the Prosecution of Traffic Light Signal Violations Based on Intersection Cameras

REQUESTED BY: Senator Pat Engel
Nebraska State Legislature

WRITTEN BY: Don Stenberg, Attorney General
Thomas J. Olsen, Assistant Attorney General

You have requested an opinion from this office regarding the constitutionality of proposed legislation which would enable prosecutorial officials to use photographs taken by intersection cameras to establish civil liability in their cases against violators of red light ordinances. Your correspondence indicates that when similar legislation was discussed in the past, questions arose concerning its constitutionality. Specifically, you inquire as to "whether this legislation could successfully withstand constitutional challenges based on equal protection, due process, or other constitutional provisions." Our response to your inquiry is set forth below.

PROPOSED LEGISLATION

The proposed legislation would authorize cities to install cameras at intersections to detect red light violators. Several other states, including Arizona, California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maryland, New York and Virginia, have enacted similar laws which authorize the use of photo monitoring systems to enforce traffic light signals. Although many of these laws have been in effect for several years, our research has disclosed no case law challenging the constitutionality of the use of photo monitoring systems to enforce traffic infractions. Moreover, our research disclosed no cases, Attorney General opinions, or law review articles dealing with the subject matter of photo monitoring devices. As a result, our response to your inquiry will be based upon the general constitutional principles of equal protection and due process, and their applicability to the proposed legislation.

The draft copy of the proposed legislation attached to your opinion request would enable prosecutorial officials to use the photographs taken by the intersection cameras to establish civil liability against individuals violating red light ordinances. The legislation would establish a new civil offense infraction, separate and distinct from the violations contained in the Nebraska Rules of the Road, Neb. Rev. Stat. § 60-601 through 60-6,374 (1998).

Generally speaking, violators would be subject to monetary penalties, not to exceed $100 per violation. The proposed legislation expressly provides that said violation will not appear on the individual's official driving record, and no points would be assessed against their driver's license. In addition, said individual would not be subject to any other prosecution, criminal or otherwise, associated with said violation. The proposed legislation provides that the owner or the registered lessee of any vehicle found' in violation of any ordinance established pursuant thereto, would be liable for the established fine unless otherwise ordered by the court.

The notice of violation would be mailed to the registered owner/lessee accompanied by a copy of any photographic evidence obtained of the violation. The notice would also instruct the liable party on the process for paying the civil penalty, and would further inform said party on the process for contesting the violation. In the event the registered owner was not the driver at the time of the violation, the legislation provides that said owner may bring a civil action against the actual driver for indemnification.

STANDARD OF REVIEW

Since your opinion request pertains to potential constitutional challenges to the proposed legislation, we note that a statute is presumed to be constitutional and all reasonable doubts regarding constitutionality should be resolved in favor of its validity. ***Callan v. Balka***, 248 Neb. 469, 481, 536 N.W.2d 47, 54 (1995). If a challenged statute is susceptible to more than one reasonable construction, a court uses the construction that will achieve the statutes purpose and preserve its validity. ***Id.*** The party asserting the unconstitutionality of a statute has the burden of overcoming this presumption by clearly demonstrating that the statute is unconstitutional. ***State v. Popco, Inc.***, 247 Neb. 440, 442, 528 N.W.2d 281, 283 (1995).

ANALYSIS

A. Due Process

Your opinion request inquires as to whether the proposed legislation could successfully withstand a constitutional challenge based on due process. Although not specified in your request, we assume you refer to the guarantee contained in Neb. Const. Art. I, § 3, that no person shall be deprived of property "without due process of law," or the like guarantee embodied in U.S. Const. Amend. XIV.

Due Process embodies two distinct principles of constitutional protection, those being procedural due process and substantive due process. A basic and fundamental requirement of procedural due process in any proceeding which is to be accorded finality is notice reasonably calculated, under all circumstances, to apprise interested parties of the pendency of the action and to afford them an opportunity to be heard and to present any defense to the charges levied against them. ***State ex rel. Labedz v. Beermann***, 229 Neb. 657, 663, 428 N.W.2d 608, 618 (1988); ***McAllister v. McAllister***, 228 Neb. 314, 422 N.W.2d 345 (1988).

However, due process does not guarantee to a citizen of the state any particular form or method of state procedure. ***Hroch v. City of Omaha***, 226 Neb. 589, 591, 413 N.W.2d 287, 288 (1987). The requirements of procedural due process are satisfied if an individual charged with a violation of law has reasonable notice and a reasonable opportunity to be heard, so as to enable such individual to present his claim or defense, due regard being had to the nature of the proceedings and the character of the rights that may be affected by them. ***Id.***

We note that the proposed legislation provides an individual charged with a violation thereunder, with the opportunity to contest the notice of infraction in county court. We therefore assume that said individual will be afforded adequate notice and a reasonable opportunity to be heard, thereby satisfying any procedural due process concerns.

With respect to substantive due process, the primary purpose of this constitutional guarantee is security of the individual from the arbitrary exercise of the powers of government unrestrained by the established principles of private rights and distributive justice. ***Rein v. Johnson***, 149 Neb. 67, 82, 30 N.W.2d 548, 557 (1947).

> As related to legislation, it is generally held that due process is satisfied if the legislature had the power to act on the subject matter, if that power was not exercised in an arbitrary, capricious, or unreasonably discriminatory manner, and if the act, being definite had a reasonable relationship to a proper legislative purpose. In other words, if an act of the Legislature is authorized and promulgated by the inherent and reserved constitutional powers of the state, and is enforced with due regard to and observance of the rules established by our system of jurisprudence for the security of life, liberty, and property, it is not in conflict with due process of law.

Rein, 149 Neb. at 82, 30 N.W.2d at 557, 558. Generally, statutes which are reasonably designed to protect the public safety, health, morals, and general welfare do not violate the constitutional principle of due process, where the statute operates uniformly on all within a class which is reasonable. ***Central Markets West, Inc. v. State***, 186 Neb. 79, 81,180 N.W.2d 880, 882 (1970). Moreover, the extent to which the legislature may exercise its police power is primarily a matter of legislative judgment, with the proviso that the purpose of the regulatory matter must be legitimate and the means employed to effectuate it must be reasonable. ***Bridgeford v. U-Haul, Co.***, 195 Neb. 308, 316, 238 N.W.2d 443, 449 (1976).

Based on the foregoing, our initial focus is on whether the legislature has the power to act on the subject matter contained in the proposed legislation. In Nebraska, it is well established that the legislature has the inherent power to establish, maintain, and control the roadways of the state. ***Herman v. Lee***, 210 Neb. 563, 566, 316 N.W.2d 56, 59 (1982). Furthermore, there is "no doubt" that the state may protect the health, safety and welfare of the general public by enacting legislation designed to increase highway safety. ***Bridgeford***, 195 Neb. at 316, 238 N.W.2d at 449. The proposed legislation pertains to the regulation of motor vehicle traffic, specifically the authorized use of intersection cameras to detect red light violators. Said legislation would therefore appear to fall within the permissible scope and power of the legislature to control the roadways of the state.

Secondly, the proposed legislation must be rationally related to a legitimate state interest. The court in ***Omaha Parking Authority v. City of Omaha***, 163

Neb. 97, 77 N.W.2d 862 (1956) held that legislation designed to facilitate and make safe the use of the state's highways and byways serves a legitimate state interest. ***Id.*** at 105-106, 77 N.W.2d at 869. Such matters are subject to the superior control of the state, except where prohibited by the Constitution. ***Id.*** It is our opinion that the proposed legislation has a reasonable relationship to the legitimate state interest of addressing the hazards presented by individuals who disregard red lights, thereby endangering the lives of the citizens of this state.

Furthermore, authorizing prosecutors to establish a prima facie case for imposing liability for the red light violation against the "owner or registered lessee" would appear to be a proper exercise of the state's police power.

In ***Bridgeford,*** the court held that:

> The imposition of strict liability, in the exercise of police power of a state, does not of itself contravene the due process clauses of the federal [and] state Constitutions. . . . Legislation imposing liability without fault is frequently sustained as a proper exercise of the police power. . . . The extent to which the Legislature may exercise the police power, an attribute of state sovereignty, is primarily a matter of legislative judgment, but the purpose of the regulatory matter must be legitimate [sic] and the means employed to effect it must be reasonable. . . . Nebraska has, both by legislation and court decision, approved the principles of strict liability and vicarious liability in its workman's compensation statutes, judicial application of the family purpose doctrine, and defective product cases.

Bridgeford, 195 Neb. at 312-14, 238 N.W.2d at 447-48 (citations omitted). The Court reasoned that a statute imposing unlimited vicarious liability on owners/lessors of trucks for damages negligently caused by the lessee's and operators of the trucks, was a reasonable means of increasing highway safety, and therefore, did not deprive the truck owners/lessors of their property without due process. ***Id.*** at 316-17, 238 N.W.2d at 449.

Similarly, although our research failed to uncover any Nebraska case law on the subject, various other jurisdictions have held that imposing prima facie strict responsibility upon the registered owner of an illegally parked vehicle does not violate due process. ***See Iowa City v. Nolan***, 239 N.W.2d 102 (1976) (a registered owner may be vicariously liable for his illegally parked vehicle and subject to punishment pursuant to a public welfare regulation); ***Commonwealth v. Rudinski***, 382 Pa. Super. 462, 55 A.2d 931 (1998) (under public welfare doctrine, prima facie strict responsibility may be imposed upon the registered owner of an illegally parked vehicle).

Although we are unable to identify with any certainty each and every potential due process argument contesting the constitutionality of the proposed legislation, based on the foregoing authority, it is our opinion that said legislation could withstand such a constitutional challenge.

B. Equal Protection

Your opinion request also inquires as to whether the proposed legislation could successfully withstand a constitutional challenge based on equal protection. Once again, we assume for purposes of our response that you refer to Neb. Const. Art. I, § 3, Neb. Const. Art. III, § 18 and U.S. Const. Amend. XIV.

In 1998, Art. I, § 3 of the Nebraska Constitution was amended so as to include language that no person shall "be denied equal protection of the laws." Although the Nebraska Supreme Court has yet to rule on the interpretation of this particular constitutional provision, in the absence of contrary case law, we assume for the purposes of this opinion that the rights granted thereunder are similar to those derived from the fourteenth amendment to the U.S. Constitution, and those derived from Art. III, § 18 of the Nebraska Constitution.

Article III, § 18 of the Nebraska Constitution provides that "[t]he legislature shall not pass local or special laws in any of the following cases, that is to say: . . . Granting to any corporation, association, or individual any special or exclusive privileges, immunities, or franchise. . . . In all other cases where a general law can be made applicable, no special law shall be enacted."

In construing Article III, § 18, the Nebraska Supreme Court has determined that "[b]y definition, a legislative act is general, and not special, if it operates alike on all persons of a class or on persons who are brought within the relations and circumstances provided for. . . ." ***Haman v. Marsh***, 237 Neb. 699, 709, 467 N.W.2d 836, 844 (1991) (citations omitted); ***State ex rel. Rogers v. Swanson***, 192 Neb. 125, 219 N.W.2d 726 (1974). Thus, a legislative act can violate Neb. Const. Art. III, § 18 as special legislation in one of two ways: (1) by creating a totally arbitrary and unreasonable method of classification, or (2) by creating a permanently closed class. ***Swanson v. State***, 249 Neb. 466, 479, 544 N.W.2d 333, 342 (1996); ***City of Scottsbluff v. Tiemann***, 185 Neb. 256, 175 N.W.2d 74 (1970).

Similar to the state equal protection clause is the provision contained in the fourteenth amendment to the U.S. Constitution. In pertinent part, the fourteenth amendment prohibits the State from denying "to any person within its jurisdiction the equal protection of the laws." When a statute is challenged under this clause, "[t]he general rule is that legislation is presumed to be valid and will be sustained if the classification drawn by the statute is rationally related to a legitimate state interest." ***Cleburne v. Cleburne Living Center, Inc.***, 473 U.S. 432, 440 (1985); ***Pick v. Nelson***, 247 Neb. 487, 528 N.W.2d 309 (1995); ***Robotham v. State***, 241 Neb. 379, 488 N.W.2d 533 (1992).

> There are two narrow exceptions to this rule. Statutes which classify by race, alienage or national origin 'will be sustained only if they are suitably tailored to serve a compelling state interest.' Likewise, statutes which classify by gender or illegitimacy must be 'substantially related' to,

> respectively, either a 'sufficiently important governmental interest' or 'a legitimate state interest.'

Pick, 247 Neb. at 498, 528 N.W.2d at 318 (citations omitted). The Nebraska Supreme Court has expressly determined that "[t]he Nebraska Constitution and the U.S. Constitution have identical requirements for equal protection challenges." ***Id. See also Robotham***, 241 Neb. at 385, 488 N.W.2d at 539. In an equal protection challenge pursuant to Article III, § 18 of the Nebraska Constitution, "classifications that do not involve a suspect class or fundamental right are tested for rational basis." ***Haman***, 237 Neb. at 712, 467 N.W.2d at 846. Thus, in order to test the validity of the proposed legislation, we must initially determine whether it involves a fundamental right or suspect class.

The Nebraska Supreme Court has held that driving is not a fundamental right, and that drivers are not a suspect class. ***State v. Michalski***, 221 Neb. 380, 385, 377 N.W.2d 510, 515 (1985). ***See also Robotham,*** 241 Neb. at 385-385, 488 N.W.2d at 539-540 (motorcycle ridership is not a suspect class, nor does it involve a fundamental right). As a result, the proposed legislation should withstand a constitutional challenge based on equal protection if it can be demonstrated that said legislation is rationally related to a legitimate state interest.

In attempting to articulate a potential equal protection argument contesting the constitutionality of the proposed legislation, we have been able to come up with only one possible scenario. It is possible that an argument could be made that the proposed legislation results in the improper classification of two types of violators of red light traffic signals. The first being an individual who is ticketed by a police officer who actually sees the red light violation, and the other being an individual whose violation of a red light traffic signal is photographed by an intersection camera authorized under the proposed legislation.

In the first instance, an individual who is ticketed by a police officer who actually witnesses the red light violation, is subject to criminal penalties, and if convicted, the violation would be made a part of their permanent driving record, and would further result in the loss of points against their driver's license.

The second classification, an individual ticketed with a civil traffic violation resulting from photographic evidence obtained from an intersection camera, would not be subject to criminal prosecution, nor would said violation be made a part of their permanent driving record, and further, no points would be assessed against their driver's license.

Based on the foregoing scenario, it could be argued that the proposed legislation improperly creates two distinct classifications of red light violators. In order to be valid, the state would be required to demonstrate that the proposed classification of red light violators ticketed by way of photographic evidence obtained from an intersection camera is rationally related to a legitimate state interest.

Generally, the determination of whether a particular legislative classification has a legitimate public purpose is a decision left to the legislature. ***See State v. Gaylen***, 221 Neb. 497, 504, 378 N.W.2d 182,187 (1985). Furthermore, states are usually afforded wide latitude in providing for different treatment of different classes of people. ***Stoehr v. Whipple***, 405 F.Supp. 1249 (D. Neb. 1976). "Classifications appearing in social or economic legislation require only a rational relationship between the state's legitimate interest and the means selected to accomplish that end. The ends-means fit need not be perfect; it need only be rational." ***State v. Michalski***, 221 Neb. 380, 389, 377 N.W.2d 510, 517 (1985). ***See also Distinctive Printing and Packaging, Co. v. Cox***, 232 Neb. 846, 443 N.W.2d 566 (1989).

In ***State v. Garber***, 249 Neb. 648, 545 N.W.2d 75 (1996), the Nebraska Supreme Court noted that when reviewing the constitutionality of a statute, it does not pass judgment on the wisdom or necessity of the legislation. ***Id.*** at 654, 545 N.W.2d at 79. The Court further noted that "under the rational basis standard, the most relaxed and tolerated form of judicial scrutiny under the Equal Protection Clause, a legislature is not required to adopt the best solution; it is sufficient if the solution adopted has some rational relationship to the state's objective." ***Id.***

Given these standards, it is our opinion that the proposed legislation could successfully withstand a constitutional challenge based on equal protection. Although the public purpose of the proposed legislation is not set forth therein, it is apparent that the proposed legislation seeks to reduce the obvious hazards associated with vehicles running through red lights.

Although it could be argued that an individual charged with a violation under the proposed legislation is subjected to lesser penalties than an individual charged pursuant to being stopped by a police officer, there appears to be a rational basis for the imposition of these varying penalties. When an officer pulls over a vehicle for a red light violation, he actually witnesses the violation and is able to determine the identity of the individual operating the vehicle by reviewing the individual's drivers license. In addition, at this time, the officer prepares a citation regarding the violation, thereby immediately apprising the individual charged with such information as the date, time, and place of the hearing on the violation. The foregoing items are important from a constitutional standpoint, so as to insure that an individual charged with a criminal offense is afforded the opportunity to confront his or her accuser, and further, to afford the individual charged with the right to a speedy trial.

To the contrary, those charged with a violation of a red light ordinance under the proposed legislation would be subjected only to a civil penalty. The rational basis for this lesser penalty is the fact that the violation arises from photographs taken by an intersection camera as opposed to a police officer actually witnessing the violation. Furthermore, due to the fact that an officer is not present, the driver of the vehicle depicted in the photograph is not immediately identified, nor is the citation issued to the driver on the precise day of the violation. These factors contribute to the finding that there is a rational basis for imposing a lesser civil penalty on an individual charged with a violation of a red light ordinance authorized by the proposed legislation. As set forth above, classifications appearing in social or public welfare legislation merely require a rational relationship between the state's legitimate interest and the means selected to accomplish that end. ***Michalski***, 221 Neb. at 389, 377 N.W.2d at 517; ***Garber***, 249 Neb. at 654, 545 N.W.2d at 79.

We believe that it would be difficult for any opponent of the proposed legislation to articulate a viable constitutional argument challenging the proposed legislation on the grounds that the purported classification does not have a rational relationship to the legitimate state interest of increasing intersection safety. Rather than placing an officer at the intersection full time, the red light intersection camera serves as a twenty-four hour deterrent for running a red light. The intersection camera also provides a safe, quick, cost effective, and efficient means of dealing with the hazards of individuals running red lights. With no stop involved, the officer is not at risk from passing traffic or armed violators.

Furthermore, not only will the streets be safer after implementation of the red light intersection camera system, but police officers are freed from time consuming traffic stops and have more time to attend to higher priority duties. In addition, under the proposed legislation, violations of red light traffic signals are enforced without discrimination, and safety and efficiency should be increased by reducing the number of potential high speed chases and the number of personnel required for traffic accident clean up, investigation, and court testimony.

CONCLUSION

In conclusion, it is our opinion that the proposed legislation authorizing the use of intersection cameras to photograph violators of red light ordinances could successfully withstand constitutional challenges based on due process and equal protection.

Sincerely,
DON STENBERG
Attorney General
(Signed) Thomas J. Olsen
Assistant Attorney General

10-22-11

pc: Patrick J. O'Donnell
Clerk of the Legislature

REPORTS

The following reports were received by the Legislature:

Administrative Services, Department of
Information Technology Commission Policies and Procedures

Agriculture, Department of
Composting Operating Procedures (LB 870, 1999)
Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices
Uniform Laws and Regulations, Handbook 130
Economic Impact Assessment (LB 630)

Agricultural Structure Assessment Task Force
Report (LB 730, 1999)

Arts Council, Nebraska
Nebraska Arts and Humanities Cash Fund Annual Report

Auditor of Public Accounts
NE Health and Human Services System - Program 355 – Visually Impaired; Program 356 - Visually Impaired Aid - FY 98
NE Department of Water Resources - FY 98
NE Arts Council - FY 98
NE Department of Administrative Services - Program 560 - Building Division - FY 98
NE Ethanol Board - FY 98
NE Commission on Public Advocacy - FY 98
NE Tax Equalization and Review Commission - FY 98
NE Department of Economic Development - Program 618 - Tourism Promotion - FY 98
NE Department of Health and Human Services - Program 575 - Byrne Grants - FY 98
NE Department of Health and Human Services - Program 364 - Juvenile Parole - FY 98
NE Board of Barber Examiners - FY 98
NE Foster Care Review Board - FY 98
NE Department of Veterans' Affairs - FY 98
NE Department of Environmental Quality - Land Quality - Program 587 – FY 97
NE Public Employees' Retirement Systems - Deferred Compensation Plan - 1/1/97-12/31/97
NE Department of Education - Division 11 - School for the Deaf, 7/1/97-6/30/98 and 7/1/98-9/30/98
NE Health and Human Services System - Program 366 - Mental Health Aid - FY 97
Nebraska Department of Justice - FY 97 and 98
Nebraska Commission for the Deaf and Hard of Hearing - FY 98

Nebraska Equal Opportunity Commission - FY 98
Nebraska Commission of Industrial Relations - FY 98
Nebraska Motor Vehicle Industry Licensing Board
Nebraska Public Employees' Retirement Systems - School Employees', Judges', and State Patrol Retirement Plans - FY 98
Nebraska State Racing Commission - FY 98
Nebraska Department of Revenue - Motor Fuel Tax Enforcement and Collection Division - FY 98
Nebraska Public Employees' Retirement Systems - State and County Employees' Retirement Plans - FY 98
Nebraska Motor Vehicle Industry Licensing Board - FY 99
Nebraska Department of Revenue - Charitable Gaming Division - Petty Cash Fund - FY 99
Nebraska Real Estate Appraiser Board - FY 99

Educational Lands and Funds, Board of
Educational Trust Land Sales Summary for 1998-99

Energy Office, Nebraska
Municipal Natural Gas Regulation Revolving Loan Fund Quarterly Reports

Environmental Quality, Department of
Report of no activity in Program #518, Wastewater Construction Grants
Report on Program #523, Small Town Grants Program
Annual Report

Ethanol Board, Nebraska
Ethanol Production Incentive Cash Fund Summary
Ethanol Production Incentive Credit Summary
Ethanol Production Incentive Credit Flow Cash Projection

Health and Human Services System, Nebraska
Office of the System Advocate, April-June and July-September 1999, Quarterly Reports
Report of Closure of Alcohol Treatment Unit at Hastings Regional Center
407 Review of Nebraska Podiatric Medical Association's Proposal to Change the Scope of Practice of Podiatry
Vital Statistics Report for 1998
Medicaid Coverage of Substance Abuse/Alcoholism Services Status Report
Community Service Program Employable General Assistance Recipients Annual Report
Cost Sharing in the Medicaid Program for 1999

Insurance, Department of
Report of the Availability of Insurance Coverage for Underground Petroleum Storage Tanks
Interstate Insurance Receivership Commission 1998 Annual Report

Investment Council, Nebraska
Northern Ireland Investment Requirements under LB 1066

Investment Finance Authority, Nebraska (NIFA)
Notice on 1999 Series G.O.-5 General Obligation Issue
Notice on 1999 Series A, 1999 Series B (Federally Taxable) and 1999 C Single Family Issue
Series 1999 NIFA State Revolving Fund Revenue Bonds
Quarterly Reports 1999 Series A-1, A-2, B-1, B-2, C-1, C-2, D-1, D-2 Community Development Loan Notes
Quarterly Reports on Series of Nebraska Investment Finance Authority Single Family Housing Revenue Bonds
Proposed Issuance of State Revolving Fund Revenue Bonds for Wastewater Treatment Facilities and Drinking Water State Revolving Fund Programs
Series 1999 NIFA State Revolving Fund Revenue Bonds
Series 1998 NIFA State Revolving Fund Revenue Bonds Quarterly Reports
1999 Series D Single Family Housing Revenue Bonds
1999 Series G.O.-6 General Obligation Bonds
1999 Series G.O.-7 General Obligation Bonds

Labor, Department of
State Labor Area Summaries
Job Training Partnership Act Annual Report

Law Enforcement and Criminal Justice, Commission on
Annual Report FY 98

Legislative Fiscal Office
State of Nebraska Biennial Budget

Legislative Program Evaluation Committee
Preevaluation Inquiry Report: Game and Parks Commission Cash Funds
Annual Report

Liquor Control Commission, Nebraska
Keg Registration Report

Natural Resources Commission
Annual Report and Plan of Work for the NE State Water Planning and Review Process

Patrol, Nebraska State
Cash Fund Report for calendar year 1998

Public Counsel/Ombudsman, Office of the
Nebraska Public Counsel 1998 Annual Report

Public Employees Retirement Systems, Nebraska
Judges' Retirement System for 1999
School Retirement System for 1999
State Patrol Retirement System for 1999

Public Service Commission, Nebraska
Annual Report on Telecommunications

Retirement Systems, Public Employees
1999 County Equal Retirement Benefit Fund Actuarial Valuation Results as of January 1, 1999 for State FY ending June 30, 2000
1999 State Equal Retirement Benefit Fund Actuarial Valuation Results as of January 1, 1999 for State FY ending June 30, 2000

Revenue, Department of
Certification of General Fund net receipts for FY 1999-2000 (Prepared jointly by the Department of Rev. and Leg. Fiscal Analyst)
Lottery Annual Report

Roads, Department of
Board of Public Roads Classifications and Standards Minutes of May, June, July, September, October, and November 1999 meetings
State Highway Commission Quarterly Reports
Bicycle Guide Map and General Bicycle/Trail Info
Traffic Accident Facts - 1998 Annual Report
Nebraska's Integrated Highway, Road and Street System: Thirty Years of Progress
State Highway Needs Assessment Report
Recreation Roads One- and Five- Year Programs

State of Nebraska
Comprehensive Annual Financial Report

University of Nebraska
Final Report on Nebraska Child Support Collection and Disbursement System Implementation Project
Annual Report

Workers' Compensation Court, Nebraska
Annual Report

COMMUNICATIONS

Received a copy of Assembly Joint Resolution No. 2, passed by the Nevada Assembly and the Nevada Senate urging Congress to amend the provisions of the Wild Free-Roaming Horses and Burros Act.

Received a copy of Senate Joint Resolution 7 (Resolution No. 5) and House Joint Resolution 8 (Resolution No. 6), State Regulation of Self-Funded

Employer-Based Health Plans passed by the Maryland General Assembly requesting the United States Congress amend the Employment Retirement Income Security Act of 1974 (ERISA).

EXECUTIVE BOARD ANNOUNCEMENT

The Executive Board announces the following committee changes made over the interim:

Senator Schimek has been appointed to fill the vacancy on the Committee on Committees.

Senator Aguilar has been appointed to the Banking, Commerce and Insurance Committee and the Government, Military and Veterans Affairs Committee.

Senator Kremer has been appointed to the Natural Resources Committee and no longer serves on the Government, Military and Veterans Affairs Committee.

Senator Crosby has been appointed to the Nebraska Retirement Systems Committee.

Senator Bohlke has been appointed to the Revenue Committee and no longer serves on the Natural Resources Committee.

Senator Byars has been appointed to the Transportation Committee and no longer serves on the Banking, Commerce and Insurance Committee.

ANNOUNCEMENT

Senator Stuhr announced the Nebraska Retirement Systems Committee elected Senator Bourne as Vice Chairperson.

COMMUNICATIONS

Pursuant to Section 84-104.05, the Legislature received a Proclamation from Governor Mike Johanns proclaiming January 5, 2000, as George W. Norris Day.

Received communication from Governor Mike Johanns designating Richard Coyne as chairman of the Liquor Control Commission due to the resignation of Jack Crowley.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 884. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend sections 83-1003, 83-1008, 83-1013, 83-1015, 83-1016, 83-1019, 83-1023, 83-1024, 83-1026, 83-1047, 83-1048, 83-1049, 83-1050, 83-1051, 83-1055, 83-1058, 83-1059, 83-1061, 83-1062, 83-1064, 83-1066, and 83-1069, Reissue Revised Statutes of Nebraska; to change citation references; to change and eliminate references to repealed sections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 885. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Strategic Air Command Museum; to amend section 81-1211, Reissue Revised Statutes of Nebraska; to repeal obsolete provisions governing divestment; to harmonize provisions; to repeal the original section; and to outright repeal sections 90-261 to 90-263, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 886. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to revenue and taxation; to eliminate provisions relating to a depreciation surcharge applicable to tax year 1992; and to outright repeal sections 77-2716.02, 77-2734.17, and 77-2769.03, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 887. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Constitutional Revision Commission; to repeal provisions relating to the commission; and to outright repeal sections 49-1601 to 49-1603, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 888. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to repeal a section that terminated on June 30, 1997; and to outright repeal section 81-2266, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 889. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to repeal provisions governing an advisory committee that was to exist for three years after June 14, 1995; and to outright repeal section 68-704, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 890. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to electronic information; to repeal provisions governing a plan that was to be issued by March 1, 1995; and to outright repeal sections 50-439 to 50-442, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 891. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-3228 and 2-3235, Revised Statutes Supplement, 1999; to harmonize provisions with Laws 1999, LB 436; and to repeal the original sections.

LEGISLATIVE BILL 892. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Managed Care Plan Act; to amend sections 68-1048, 68-1050, 68-1051, 68-1056, and 68-1064, Reissue Revised Statutes of Nebraska; to delete references to the Managed Care Commission that ceased to exist April 1, 1997; to harmonize provisions; to repeal the original sections; and to outright repeal sections 68-1052, 68-1053, 68-1054, 68-1055, 68-1065, and 68-1066, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 893. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to state government; to amend sections 23-1715, 81-1120.02, and 81-1120.03, Reissue Revised Statutes of Nebraska; to remove references to an eliminated board; and to repeal the original sections.

LEGISLATIVE BILL 894. Introduced by Executive Board: Coordsen, 32, Chairperson.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to repeal a duty relating to the 1982 legislation adopting the code; and to outright repeal section 43-2,130, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 895. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to revenue and taxation; to amend Laws 1999, LB 271, section 10; to change the operative date of changes made by Laws 1999, LB 271; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 896. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1010.01, Revised Statutes Supplement, 1998, and section 79-1010, Revised Statutes Supplement, 1999; to change provisions relating to incentive payments; to eliminate a termination date; and to repeal the original sections.

LEGISLATIVE BILL 897. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to employment security taxes; to amend section 48-656, Reissue Revised Statutes of Nebraska; to change late penalty provisions; and to repeal the original section.

SENATOR CUDABACK PRESIDING

LEGISLATIVE BILL 898. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to the Community-Based Neurobehavioral Action Plan Act; to amend sections 79-11,145, 79-11,146, and 79-11,149, Revised Statutes Supplement, 1999; to change dates; and to repeal the original sections.

LEGISLATIVE BILL 899. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to child visitation; to amend section 42-364.15, Reissue Revised Statutes of Nebraska; to change provisions relating to enforcement of visitation orders; and to repeal the original section.

LEGISLATIVE BILL 900. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Bromm, 23; Bruning, 3; Hudkins, 21; Jones, 43; Kremer, 34; Preister, 5; Stuhr, 24; at the request of the Governor.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-1502, 2-1503.01 to 2-1504, 2-1505, 2-1568, 2-1575, 2-1577, 2-1578, 2-1579, 2-1585, 2-1587, 2-1589, 2-1590, 2-1592 to 2-1595, 2-1597, 2-1598, 2-15,100, 2-15,101, 2-15,103, 2-15,105, 2-15,106, 2-15,122, 2-15,123, 2-2626, 2-3208, 2-3210, 2-3211, 2-3212, 2-3240, 2-3257, 2-3276, 2-3277, 2-4215, 16-6,106, 25-1062.01, 25-1064, 25-2159, 25-2160, 31-415, 31-508, 31-509, 31-515, 31-516, 31-1003, 31-1008, 31-1015, 31-1017 to 31-1023, 33-105, 46-106, 46-122, 46-190, 46-192, 46-193, 46-199, 46-1,155 46-1,157, 46-205, 46-208 to 46-210, 46-212, 46-212.01, 46-213, 46-215 to 46-219, 46-226, 46-226.03, 46-227, 46-229, 46-229.01, 46-229.04, 46-229.05, 46-230, 46-233, 46-233.01, 46-234, 46-235, 46-235.02 to 46-238, 46-240.01 to 46-242, 46-250, 46-252, 46-254, 46-256 to 46-258, 1 46-261, 46-263.02, 46-270, 46-273, 46-277, 46-278, 46-288 to 46-296, 46-2,101, 46-2,105, 46-2,108 to 46-2,115, 46-2,116.01 to 46-2,120, 46-2,122 to 46-2,125, 46-2,128, 46-2,130, 46-302 to 46-305, 46-312, 46-315, 46-514, 46-516, 46-541, 46-583, 46-604, 46-610, 46-613.01, 46-613.02, 46-637 to 46-642, 46-644 to 46-646, 46-648, 46-649, 46-653, 46-654, 46-656.05, 46-656.07, 46-656.12, 46-656.14 to 46-656.16, 46-656.19, 46-656.25, 46-656.28, 46-656.30, 46-656.31, 46-656.33, 46-656.38, 46-656.40, 46-656.50 to 46-656.63, 46-656.65 to 46-656.67, 46-676, 46-678.01, 46-686.01, 46-691, 46-692, 46-701 to 46-704, 46-801 to 46-804, 46-1001, 46-1004, 46-1005, 46-1011, 46-1023, 46-1204.01, 46-1217, 46-1401, 46-1403, 46-1404, 56-101, 66-1105, 81-15,170, 81-2304, 81-2602, 81-3449, 81-3453, and 85-162.03, Reissue Revised Statutes of Nebraska, sections 2-1570, 2-1588, and 2-3202, Revised Statutes Supplement, 1998, and sections 2-1503, 2-1547, 2-1584, 2-1596, 2-3222, 2-3254, 2-4901, 25-1920, 46-602, 46-606, 46-1224, 49-506, 49-617, 54-2404.02, 54-2412, 81-101, and 81-102, Revised Statutes Supplement, 1999; to merge the Department of Water Resources and the Nebraska Natural Resources Commission; to transfer, provide, change, and eliminate powers and duties; to eliminate a fund, an advisory committee, and obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 2-1504.02, 2-1504.03, 2-1506, 2-1506.01, 2-1507, 2-15,104, 2-15,121, 2-3203.02, and 46-212.02, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 901. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Hudkins, 21; Jones, 43; Kremer, 34; Preister, 5; Stuhr, 24.

A BILL FOR AN ACT relating to Nebraska Power Review Board; to amend sections 70-1001, 70-1003, and 70-1023, Reissue Revised Statutes of Nebraska; to provide intent; to define terms; to provide powers and duties; and to repeal the original sections.

LEGISLATIVE BILL 902. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriation of water; to amend sections

46-231, 46-294, and 46-637, Reissue Revised Statutes of Nebraska; to change provisions relating to amounts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 903. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to irrigation; to amend sections 46-636 and 46-637, Reissue Revised Statutes of Nebraska; to change provisions relating to pumping for irrigation purposes; and to repeal the original sections.

LEGISLATIVE BILL 904. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 46-656.25, 46-656.26, and 46-656.27, Reissue Revised Statutes of Nebraska; to change ground water management control and allocation provisions; and to repeal the original sections.

LEGISLATIVE BILL 905. Introduced by Chambers, 11; Jensen, 20; Smith, 48.

A BILL FOR AN ACT relating to the State Lottery Act; to amend sections 9-1,104, 9-204, 9-226, 9-227, 9-255.06, 9-255.09, 9-312, 9-315, 9-322, 9-323, 9-335, 9-402, 9-411, 9-415, 9-418, 9-419, 9-422, 9-502, 9-507, 9-509, 9-607, 9-620, 15-258, 16-226, 17-120, 28-1101, 28-1105, 28-1113, 77-2733, 81-15,174, 83-162.04, and 84-712.05, Reissue Revised Statutes of Nebraska, sections 77-27,160, 77-27,161, 77-27,166 to 77-27,169, 77-27,171, 77-27,172, 79-757, and 79-761, Revised Statutes Supplement, 1998, and sections 14-102, 17-207, 79-758, 79-1018.01, and 79-1310, Revised Statutes Supplement, 1999; to eliminate the State Lottery Act; to provide powers and duties; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 9-801, 9-802, 9-804, 9-806 to 9-811.01, 9-813, 9-814, 9-816 to 9-830, 9-832 to 9-836, 9-837 to 9-841, 49-1469.01 to 49-1469.03, and 77-2704.38, Reissue Revised Statutes of Nebraska, section 9-836.01, Revised Statutes Supplement, 1998, and sections 9-803, 9-805, and 9-812, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 906. Introduced by Hilgert, 7; Preister, 5.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-320.01, Reissue Revised Statutes of Nebraska; to require In Transit decals as prescribed; to provide duties; and to repeal the original section.

LEGISLATIVE BILL 907. Introduced by Hilgert, 7; Kiel, 9; Preister, 5; Quandahl, 31; Smith, 48; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to crimes and offenses; to amend section

28-519, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 1999; to change provisions relating to criminal mischief; to prohibit graffiti as prescribed; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 908. Introduced by Hilgert, 7; Bourne, 8.

A BILL FOR AN ACT relating to probation administration; to amend sections 29-2246, 29-2251, 29-2252, 29-2253, 29-2258, 29-2261, 29-2262.03, and 29-2269, Reissue Revised Statutes of Nebraska, and section 29-2259, Revised Statutes Supplement, 1999; to transfer the Office of Probation Administration from the Supreme Court to the Department of Correctional Services; to define terms; to provide powers and duties for the Director of Correctional Services; to eliminate powers of the Supreme Court and other courts as prescribed; to change powers of the probation administrator; to harmonize provisions; to repeal the original sections; and to outright repeal sections 29-2249, 29-2249.04, 29-2250, and 29-2262.05, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 909. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to schools; to state intent; to provide for guidelines for accepting juveniles' academic credits as prescribed.

LEGISLATIVE BILL 910. Introduced by Hilgert, 7; Beutler, 28; Cudaback, 36; Preister, 5; Schmitt, 41; Schrock, 38.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-311, Revised Statutes Supplement, 1999; to provide for Honorably Discharged Veteran Plates; to provide for fees; to provide for the distribution of proceeds; and to repeal the original section.

LEGISLATIVE BILL 911. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to swimming pools; to amend section 71-4305, Reissue Revised Statutes of Nebraska; to require certification of swimming pool owners and operators; to provide a fee; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 912. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-179, Reissue Revised Statutes of Nebraska; to extend closing hours as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 913. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-168, Reissue Revised Statutes of Nebraska; to eliminate a restriction relating to the purchase of beer by retail licensees; and to repeal the original section.

LEGISLATIVE BILL 914. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to the Welfare Reform Act; to amend sections 68-1723 and 68-1724, Reissue Revised Statutes of Nebraska, and section 68-1713, Revised Statutes Supplement, 1998; to change provisions relating to cash assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 915. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-652, Reissue Revised Statutes of Nebraska; to change provisions relating to experience accounts; and to repeal the original section.

LEGISLATIVE BILL 916. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to the cigarette tax; to amend sections 77-2601, 77-2603, 77-2604, 77-2605, 77-2607, 77-2610, 77-2613, 77-2614, 77-2615, and 77-2620, Reissue Revised Statutes of Nebraska, and section 77-2612, Revised Statutes Supplement, 1998; to prohibit affixing stamps or meter impressions as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 917. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to the Uniform Deceptive Trade Practices Act; to amend section 87-302, Reissue Revised Statutes of Nebraska; to prohibit the business use of the name of a municipality as prescribed; and to repeal the original section.

LEGISLATIVE BILL 918. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to the Nebraska Time-Share Act; to amend sections 76-1701 to 76-1703, 76-1713, 76-1715, 76-1716, 76-1718, 76-1719, 76-1722, 76-1725 to 76-1727, 76-1732, 76-1734, 76-1736, and 76-1738, Reissue Revised Statutes of Nebraska; to change a definition; to change provisions authorizing the transfer of time-share interests; to provide powers and duties for the State Real Estate Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 919. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 1998; to provide income tax adjustments for pensions and other distributions, dividends, and interest; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 920. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to public assistance; to eliminate provisions relating to trusts; and to outright repeal section 68-1047, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 921. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to court procedure; to amend sections 11-124, 25-525, 25-1142, 25-1273.01, 25-1315.02, 25-1515, 25-1517, 25-1542, 25-1804, 25-2002, 25-2008, 25-21,130, 25-21,167, 25-21,217, 25-21,220, 25-21,230, 25-2728, 25-2733, 27-802, 29-2525, 42-372, 42-372.01, 45-103, and 76-718, Reissue Revised Statutes of Nebraska, section 25-2001, Revised Statutes Supplement, 1998, and sections 25-705, 25-1912, 25-1931, and 25-2729, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to new trials, judgments, discovery, motions, and appeals; to harmonize provisions; to repeal the original sections; and to outright repeal sections 25-1143, 25-1145, 25-1302, and 25-2003, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 922. Introduced by Cudaback, 36; Baker, 44; Jones, 43; D. Pederson, 42; Schrock, 38.

A BILL FOR AN ACT relating to courts; to amend section 24-301.02, Revised Statutes Supplement, 1998; to provide an additional district court judgeship; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 923. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to physician assistants; to amend section 71-1,107.16, Revised Statutes Supplement, 1999; to redefine a term; to harmonize provisions; and to repeal the original section.

EASE

The Legislature was at ease from 10:46 a.m. until 11:14 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 924. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to authorize a refund of sales tax paid on certain telephone calling cards; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 925. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908 and 77-3806, Reissue Revised Statutes of Nebraska, sections 77-2701 and 77-2734.03, Revised Statutes Supplement, 1998, and section 77-2715.07, Revised Statutes Supplement, 1999; to provide a tax credit for business child care expenditures; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 926. Introduced by Landis, 46.

A BILL FOR AN ACT relating to cities and villages; to require a fine for nonmoving traffic violations.

LEGISLATIVE BILL 927. Introduced by Landis, 46.

A BILL FOR AN ACT relating to notaries public; to amend section 64-101, Reissue Revised Statutes of Nebraska; to authorize appointment of nonresidents as prescribed; and to repeal the original section.

LEGISLATIVE BILL 928. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-204, 77-1704, and 77-1705, Reissue Revised Statutes of Nebraska, and section 77-1704.01, Revised Statutes Supplement, 1999; to authorize installment payments for certain property taxes; to provide duties and procedures; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 929. Introduced by Landis, 46.

A BILL FOR AN ACT relating to commercial transactions; to adopt the Uniform Electronic Transactions Act.

LEGISLATIVE BILL 930. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend sections 44-401, 44-409, 44-1206, 44-2407, 44-2708, 44-2716, 44-32,134, and 48-146.01, Reissue Revised Statutes of Nebraska, and section 28-631, Revised

Statutes Supplement, 1998; to change provisions relating to insurance fraud, reserves, insurance guaranty associations, reports, and workers' compensation insurance; to require coverage for reconstructive surgery as prescribed; to eliminate provisions relating to the Committee on Valuation of Securities; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to outright repeal sections 44-707.01 to 44-707.04, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 931. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend sections 1-105, 9-102, 9-104, 9-210, 9-317, 9-323, 9-331, 9-334, 9-336, 9-406, 9-407, 9-408, 9-409, 9-504, 9-705, and 9-709, Uniform Commercial Code; to change provisions relating to secured transactions; to provide safe harbor provisions for certain continuation statements as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 932. Introduced by Landis, 46.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-301, 8-305, 8-317, 8-331, 8-334, 8-336, 8-340, 8-345.01, 8-346, 8-1103, 8-1111, 8-1120, 8-1502, 21-1701, 21-1767, 21-1768, 45-205, 45-337, 45-717, and 45-919, Reissue Revised Statutes of Nebraska, sections 8-205, 8-223, and 8-910, Revised Statutes Supplement, 1998, and sections 8-1,140, 8-355, 8-602, 21-17,115, and 45-137, Revised Statutes Supplement, 1999; to revise the powers of state-chartered banks, building and loan associations, and credit unions; to change provisions relating to the Nebraska Trust Company Act, building and loan companies, department fees, the Nebraska Bank Holding Company Act of 1995, the Securities Act of Nebraska, acquisitions and mergers, the Credit Union Act, installment loans, revolving charge agreements, installment sales, the Mortgage Bankers Registration and Licensing Act, and the Delayed Deposit Services Licensing Act; to require a fidelity bond from credit unions; to eliminate provisions relating to foreign building and loan associations; to harmonize provisions; to repeal the original sections; to outright repeal sections 8-342 to 8-345, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 933. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to public meetings; to amend sections 18-2438 and 84-1412, Reissue Revised Statutes of Nebraska; to change provisions relating to meetings outside Nebraska; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 934. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 81-154.01, 81-1108, 81-1108.41, 81-1114.02, 81-1120.35 to 81-1120.38, 81-1120.40, 81-2304, 81-2307, 81-2308.01, 84-1602, 84-1603, 84-1605, 84-1606, 84-1613, and 84-1616, Reissue Revised Statutes of Nebraska; to change provisions relating to purchasing, departmental organization, capital construction, and powers and duties; to create a fund; to eliminate obsolete provisions and a fund; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 81-1120.32 to 81-1120.34, 81-1120.39, and 81-1354.02, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 935. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to elections; to amend section 32-816, Reissue Revised Statutes of Nebraska, and sections 32-813 and 32-1007, Revised Statutes Supplement, 1999; to provide for write-in space for the offices of President and Vice President; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 936. Introduced by Matzke, 47; Aguilar, 35; Baker, 44; Bourne, 8; Brashear, 4; Bromm, 23; Brown, 6; Bruning, 3; Byars, 30; Coordsen, 32; Crosby, 29; Cudaback, 36; Dickey, 18; Dierks, 40; Engel, 17; Hartnett, 45; Hudkins, 21; Jones, 43; Kremer, 34; Kristensen, 37; Lynch, 13; D. Pederson, 42; Price, 26; Quandahl, 31; Redfield, 12; Robak, 22; Schimek, 27; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19; Vrtiska, 1; Wehrbein, 2; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Rural Economic Opportunities Act.

LEGISLATIVE BILL 937. Introduced by Beutler, 28; Byars, 30; Crosby, 29; Hudkins, 21; Landis, 46; Price, 26; Raikes, 25; Schimek, 27.

A BILL FOR AN ACT relating to outdoor advertising; to amend sections 19-904.01, 23-173.01, and 69-1701, Reissue Revised Statutes of Nebraska; to provide for the use of amortization schedules in determining compensation to owners for certain removals, takings, and appropriations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 938. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to correctional services; to amend section 83-183, Reissue Revised Statutes of Nebraska; to change provisions relating to work arrangements; and to repeal the original section.

LEGISLATIVE BILL 939. Introduced by Baker, 44.

A BILL FOR AN ACT relating to the Water Well Standards and Contractors' Licensing Act; to amend sections 46-1214.01, 46-1229, 46-1233, 46-1235, 46-1238, 46-1239, and 46-1240, Reissue Revised Statutes of Nebraska; to change provisions relating to water well decommissioning; to change provisions relating to penalties for contractors; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 940. Introduced by Baker, 44.

A BILL FOR AN ACT relating to the juvenile code; to amend section 43-279, Reissue Revised Statutes of Nebraska; to provide for notification of the school of certain adjudications; and to repeal the original section.

LEGISLATIVE BILL 941. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 14-109, 15-203, 16-205, 17-525, and 19-4018, Reissue Revised Statutes of Nebraska, section 13-519, Revised Statutes Supplement, 1998, and section 13-518, Revised Statutes Supplement, 1999; to authorize a county license or occupation tax on entities selling alcoholic beverages; to limit license and occupation taxes as prescribed; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 942. Introduced by Wickersham, 49; Coordsen, 32; Hartnett, 45; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 18-2147.01, Revised Statutes Supplement, 1999; to eliminate the Review Incentives Program Committee; to harmonize provisions; to repeal the original section; and to outright repeal sections 77-5101, 77-5103, and 77-5104, Reissue Revised Statutes of Nebraska, and sections 77-5102 and 77-5105, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 943. Introduced by Wickersham, 49; Jensen, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 1998; to provide income tax adjustments for long-term care insurance premiums; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 944. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the Internal Revenue Code; to amend section 49-801.01, Revised Statutes Supplement, 1999; to change provisions relating to references to the code; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 945. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3442 and 77-3444, Revised Statutes Supplement, 1999; to change provisions relating to property tax levy limitations; and to repeal the original sections.

LEGISLATIVE BILL 946. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to homesteads; to amend section 77-3504, Reissue Revised Statutes of Nebraska; to redefine household income; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 947. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3446, Revised Statutes Supplement, 1998; to change the base limitation applicable to school districts and other political subdivisions; to provide an operative date; to repeal the original section; and to declare an emergency.

EASE

The Legislature was at ease from 11:21 a.m. until 11:50 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 948. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Revised Statutes Supplement, 1999; to exempt purchases by elected county fair boards from sales and use taxes; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 949. Introduced by Stuhr, 24; Baker, 44.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1338, 77-5005, and 77-5028, Revised Statutes Supplement, 1998, and sections 13-509, 77-1315, 77-1315.01, and 77-1514, Revised Statutes

Supplement, 1999; to eliminate agricultural and horticultural land valuation boards and land manual areas; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 77-1379, 77-1382, and 77-1383, Revised Statutes Supplement, 1998, and sections 77-1378, 77-1380 to 77-1381.01, 77-1384, 77-5024, and 77-5025, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 950. Introduced by Byars, 30; Schimek, 27; Stuhr, 24; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to children; to adopt the Infant Hearing Act; to provide for insurance and medicaid payments; and to declare an emergency.

LEGISLATIVE BILL 951. Introduced by Byars, 30; Jensen, 20; Kristensen, 37; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-302, Revised Statutes Supplement, 1999; to provide for a fee; to create a fund; and to repeal the original section.

LEGISLATIVE BILL 952. Introduced by Byars, 30; Vrtiska, 1; Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for senior services; and to declare an emergency.

LEGISLATIVE BILL 953. Introduced by Vrtiska, 1; Chambers, 11; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to employment security law; to amend sections 48-606.01, 48-617, 48-618, 48-619, 48-628, 48-628.03, 48-652, 48-655, 81-1201.01, and 85-1540, Reissue Revised Statutes of Nebraska, and section 48-621, Revised Statutes Supplement, 1999; to change voluntary leave and experience account provisions; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 954. Introduced by Jensen, 20; Byars, 30; Matzke, 47.

A BILL FOR AN ACT relating to the Long-Term Care Insurance Act; to amend sections 44-4504, 44-4509, 44-4515, and 44-4516, Reissue Revised Statutes of Nebraska, and section 44-4501, Revised Statutes Supplement, 1999; to define and redefine terms; to change provisions relating to long-term care insurance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 955. Introduced by Jensen, 20; Byars, 30; Matzke, 47.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1999; to provide an income tax credit for long-term care insurance premiums; and to repeal the original section.

LEGISLATIVE BILL 956. Introduced by Schimek, 27; Beutler, 28; Bohlke, 33; Coordsen, 32; Kiel, 9; Kristensen, 37; Matzke, 47; Wehrbein, 2.

A BILL FOR AN ACT relating to state constitutional officers; to amend sections 75-104, 84-101.01, 84-201.01, and 84-721, Reissue Revised Statutes of Nebraska; to change the salaries of the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and members of the Public Service Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 957. Introduced by Dierks, 40; Schrock, 38; Wehrbein, 2.

A BILL FOR AN ACT relating to agriculture; to create the Carbon Sequestration Advisory Committee; to provide duties; and to create a fund.

LEGISLATIVE BILL 958. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to amend sections 75-901 and 75-902, Reissue Revised Statutes of Nebraska; to provide for certification of grain and restrictions on grain dealers, warehouse licensees, and first purchasers; to provide duties for the Public Service Commission; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 959. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to amend section 81-2,147, Reissue Revised Statutes of Nebraska, and section 81-2,147.01, Revised Statutes Supplement, 1998; to define terms; to provide a cause of action for certain crop damage; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 960. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to grain warehouses; to eliminate provisions relating to the weighing of grain and pellets; and to outright repeal sections 88-520 to 88-522, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 961. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to veterinarians; to amend section 71-1,154, Revised Statutes Supplement, 1999; to define a term; to provide a duty; and to repeal the original section.

LEGISLATIVE BILL 962. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.22, Reissue Revised Statutes of Nebraska; to change sales tax provisions relating to magazines and journals; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 963. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to veterinary technicians; to amend section 71-1,153, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999; to define terms; to provide for veterinary technician provisions and eliminate approved animal technician provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 964. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to veterinarians; to provide information disclosure requirements.

LEGISLATIVE BILL 965. Introduced by Robak, 22; Baker, 44; Bohlke, 33; Bourne, 8; Brashear, 4; Connealy, 16; Hilgert, 7; Kiel, 9; Dw. Pedersen, 39; Price, 26; Thompson, 14.

A BILL FOR AN ACT relating to mental health regions; to provide services to inmates in jails and detention centers; and to provide intent.

LEGISLATIVE BILL 966. Introduced by Bromm, 23; Beutler, 28; Brashear, 4; Janssen, 15.

A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,105, Reissue Revised Statutes of Nebraska; to change provisions relating to deeds of distribution; to eliminate a requirement to record certain documents in the register of deeds office; to repeal the original section; and to outright repeal section 30-238, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 967. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-5023, Revised Statutes Supplement, 1998, and sections 77-1504.01, 77-5016, and 77-5019, Revised Statutes Supplement, 1999; to change powers for adjusting the valuation of classes and subclasses of property; to change powers and duties concerning hearings, orders, and appeals; to provide for applicability of changes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 968. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 23-355.01, 79-1081, 79-1082, and 84-1411, Reissue Revised Statutes of Nebraska, section 35-1303, Revised Statutes Supplement, 1998, sections 13-503, 51-805, 77-202.11, 77-202.12, and 79-1072.04, Revised Statutes Supplement, 1999, and Laws 1999, LB 271, section 10; to change provisions relating to the Nebraska Budget Act, tax levies, joint public agencies, taxation of public property, and school finance; to change the operative date of changes made by Laws 1999, LB 271; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 969. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,117 and 60-4,151, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-493, 60-494, 60-4,144, and 60-4,181, Revised Statutes Supplement, 1999; to change provisions relating to organ and tissue donation language on applications; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 970. Introduced by Thompson, 14; Byars, 30.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,267, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of occupant protection systems by children; and to repeal the original section.

LEGISLATIVE BILL 971. Introduced by Brown, 6; Dierks, 40.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-438, Reissue Revised Statutes of Nebraska, and section 28-405, Revised Statutes Supplement, 1999; to prohibit certain possession and purchases of ephedrine; to require labeling and licensing for food products and dietary supplements; to prohibit the dispensing or sale to minors; to create a fund and provide for its use; to provide requirements for sales of crystal iodine; to provide penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 972. Introduced by Brown, 6; Beutler, 28; Jensen, 20; Wehrbein, 2.

A BILL FOR AN ACT relating to child support; to amend sections 42-347, 42-357, 42-358, 42-358.01, 42-358.02, 42-364.01, 42-364.13, 42-364.15, 42-369, 42-371.01, 43-512, 43-512.07, 43-1701, 43-1703, 43-1718, 73-1718.02, 43-1723, 43-1727, 43-1729, and 43-1741, Reissue Revised Statutes of Nebraska, and sections 43-3341, 43-3342, 43-3344, 43-3346, and 43-3347, Revised Statutes Supplement, 1999; to implement support payments through the State Disbursement Unit; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 43-3344, Revised Statutes Supplement, 1999; and to declare an emergency.

EASE

The Legislature was at ease from 11:54 a.m. until 12:18 p.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 973. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Hartnett, 45; Schrock, 38.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-192, Reissue Revised Statutes of Nebraska; to change provisions relating to the transportation of alcoholic liquor into the state; and to repeal the original section.

LEGISLATIVE BILL 974. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1107, Reissue Revised Statutes of Nebraska; to change provisions relating to possession of a gambling device; to provide penalties; and to repeal the original section.

LEGISLATIVE BILL 975. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-180.02, Reissue Revised Statutes of Nebraska; to change provisions relating to minors in possession of alcoholic liquor; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 976. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to pickle cards; to amend section 9-301, Reissue Revised Statutes of Nebraska; to require signs for pickle card dispensing devices; to provide a duty; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 977. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to horseracing; to amend section 2-1203, Reissue Revised Statutes of Nebraska; to terminate a fund; to provide for the remittance of fines to the permanent school fund and for a transfer of funds; and to repeal the original section.

LEGISLATIVE BILL 978. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Hartnett, 45; Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to state intent; to appropriate funds for Alcohol/Tobacco Enforcement Officers.

LEGISLATIVE BILL 979. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Hartnett, 45; Quandahl, 31; Schrock, 38.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-117.02, 53-117.07, and 53-117.08, Reissue Revised Statutes of Nebraska, and sections 53-117, 53-133, and 53-1,115, Revised Statutes Supplement, 1999; to provide for hearing officers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 980. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-420, 37-421, and 37-538, Reissue Revised Statutes of Nebraska; to authorize the operation of vehicles by disabled persons as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 981. Introduced by Hudkins, 21.

A BILL FOR AN ACT relating to acupuncture; to adopt the Acupuncture Practice Act; and to provide a penalty.

LEGISLATIVE BILL 982. Introduced by Connealy, 16; Baker, 44; Crosby, 29; Cudaback, 36; Dierks, 40; Janssen, 15; Jones, 43; Wehrbein, 2.

A BILL FOR AN ACT relating to cemeteries; to amend section 12-805, Reissue Revised Statutes of Nebraska; to change provisions relating to care and maintenance expenses; and to repeal the original section.

LEGISLATIVE BILL 983. Introduced by Connealy, 16; Jensen, 20;

Schimek, 27; Suttle, 10; Thompson, 14; Wehrbein, 2.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-634, Reissue Revised Statutes of Nebraska; to change provisions relating to corrections of birth or death certificates; to provide powers; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 984. Introduced by Redfield, 12.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-509, Reissue Revised Statutes of Nebraska; to change preliminary examination provisions; to harmonize provisions; to repeal the original section; and to outright repeal sections 29-501 to 29-503, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 985. Introduced by Redfield, 12; Bruning, 3; Hilgert, 7; Jensen, 20; Preister, 5; Quandahl, 31; Schmitt, 41; Smith, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2106, Reissue Revised Statutes of Nebraska, and section 77-2004, Revised Statutes Supplement, 1998; to change the exemption amount subject to inheritance tax; to create a fund; to provide funding to counties; to eliminate an obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-2040, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 986. Introduced by Redfield, 12; Baker, 44; Bruning, 3; Hilgert, 7; Jensen, 20; Kremer, 34; Quandahl, 31; Robak, 22; Schimek, 27; Schmitt, 41; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to postsecondary education; to adopt the In the Line of Duty Dependent Education Act; and to provide severability.

LEGISLATIVE BILL 987. Introduced by Redfield, 12; Baker, 44; Beutler, 28; Brown, 6; Bruning, 3; Crosby, 29; Dierks, 40; Engel, 17; Hilgert, 7; Jensen, 20; Kiel, 9; Kremer, 34; Preister, 5; Quandahl, 31; Raikes, 25; Robak, 22; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2732, Reissue Revised Statutes of Nebraska, and sections 77-2715.02 and 77-2716.01, Revised Statutes Supplement, 1998; to change income tax rate schedules and deduction amounts for certain spouses; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 988. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to schools; to amend section 79-533, Reissue Revised Statutes of Nebraska; to eliminate the annual review of parental involvement policies; and to repeal the original section.

LEGISLATIVE BILL 989. Introduced by Connealy, 16; Beutler, 28; Bourne, 8; Brashear, 4; Bromm, 23; Bruning, 3; Hilgert, 7; Matzke, 47; Dw. Pedersen, 39; Smith, 48.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1816, Reissue Revised Statutes of Nebraska; to change provisions relating to arraignment; and to repeal the original section.

LEGISLATIVE BILL 990. Introduced by Beutler, 28; Smith, 48.

A BILL FOR AN ACT relating to the documentary stamp tax; to amend section 76-902, Reissue Revised Statutes of Nebraska; to exempt certain deeds and trust deeds as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 991. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-108, 60-117, 60-301, 60-305.04, 60-310, 60-311.03, 60-311.04, 60-311.05, 60-311.08, 60-311.09, 60-311.12, 60-311.13, 60-311.16, 60-311.21, 60-311.25, 60-315, 60-320, 60-321, 60-323, 60-324, 60-331, 60-331.03, 60-334, 60-345, 60-683, 60-1306, and 81-2005, Reissue Revised Statutes of Nebraska, sections 18-1736 and 18-1737, Revised Statutes Supplement, 1998, and sections 60-304, 60-305.16, 60-311, 60-311.02, 60-311.14, 60-311.23, 60-315.01, 60-335, 60-1901, 60-1902, 60-1903, and 60-1908, Revised Statutes Supplement, 1999; to provide for one license plate and In Transit decal per vehicle; to change provisions relating to license plates; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 992. Introduced by Landis, 46; Matzke, 47; Robak, 22; Vrtiska, 1.

A BILL FOR AN ACT relating to the Nebraska Environmental Trust Act; to amend sections 81-15,167, 81-15,169, 81-15,173, 81-15,174, 81-15,175, and 81-15,176, Reissue Revised Statutes of Nebraska; to create a fund; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 993. Introduced by Landis, 46; Price, 26.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-605, Reissue Revised Statutes of Nebraska, and section 60-601, Revised Statutes Supplement, 1999; to provide that use of a mobile telephone creates a rebuttable presumption of contributory negligence as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 994. Introduced by Dw. Pedersen, 39; at the request of the Governor.

A BILL FOR AN ACT relating to law enforcement; to amend sections 81-1401, 81-1402, 81-1403, 81-1404, 81-1406, 81-1410, 81-1413, 81-1414, and 81-1428, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Law Enforcement Training Center; to state intent; to change and provide powers and duties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 18-1703 and 18-1704, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 995. Introduced by Robak, 22; Kiel, 9.

A BILL FOR AN ACT relating to the Health Carrier Grievance Procedure Act; to amend section 44-7306, Reissue Revised Statutes of Nebraska; to change provisions relating to grievance registers; and to repeal the original section.

LEGISLATIVE BILL 996. Introduced by Robak, 22.

A BILL FOR AN ACT relating to schools; to state intent; to provide for school violence prevention teams; and to provide powers and duties.

LEGISLATIVE BILL 997. Introduced by Robak, 22; Price, 26; Redfield, 12.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,219 and 60-6,222, Reissue Revised Statutes of Nebraska; to require lighted headlights and taillights during windshield wiper operation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 998. Introduced by D. Pederson, 42; Aguilar, 35; Cudaback, 36; Engel, 17; Matzke, 47; Quandahl, 31.

A BILL FOR AN ACT relating to jails; to amend section 47-121, Reissue Revised Statutes of Nebraska; to authorize audits of claims for reimbursement for boarding state prisoners; to provide powers and duties; and to repeal the original section.

LEGISLATIVE BILL 999. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to liquefied petroleum gas; to amend sections 57-501 to 57-506, Reissue Revised Statutes of Nebraska; to change provisions relating to cylinders and containers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1000. Introduced by Schrock, 38; Bruning, 3; Hartnett, 45; Smith, 48.

A BILL FOR AN ACT relating to the Wastewater Treatment Facilities

Construction Assistance Act; to amend sections 81-1532, 81-15,152, and 81-15,153, Reissue Revised Statutes of Nebraska; to provide for grants as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-1533, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1001. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to schools; to amend sections 79-1077 and 79-1078, Revised Statutes Supplement, 1998; to provide duties for the county clerk relating to affiliation; and to repeal the original sections.

LEGISLATIVE BILL 1002. Introduced by Redfield, 12.

A BILL FOR AN ACT relating to electronic mail; to amend section 28-1310, Reissue Revised Statutes of Nebraska; to prohibit acts relating to unsolicited electronic mail and advertising; to provide for civil actions and penalties; to harmonize provisions; to provide severability; and to repeal the original section.

EASE

The Legislature was at ease from 12:23 p.m. until 12:29 p.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1003. Introduced by Schrock, 38; Brown, 6; Dierks, 40; Hilgert, 7; Price, 26; Smith, 48; Tyson, 19.

A BILL FOR AN ACT relating to education; to amend section 77-2716, Revised Statutes Supplement, 1998; to establish an education savings plan; to create funds; to provide for administration of the plan; to harmonize provisions; to provide operative dates; and to repeal the original section.

LEGISLATIVE BILL 1004. Introduced by Engel, 17; Baker, 44; Brashear, 4; Bromm, 23; Brown, 6; Bruning, 3; Byars, 30; Connealy, 16; Coordsen, 32; Crosby, 29; Dickey, 18; Dierks, 40; Hartnett, 45; Jensen, 20; Jones, 43; Kremer, 34; Matzke, 47; D. Pederson, 42; Preister, 5; Price, 26; Raikes, 25; Redfield, 12; Schmitt, 41; Schrock, 38; Smith, 48; Tyson, 19; Vrtiska, 1; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to driving under the influence; to amend sections 60-6,196 and 60-6,197, Revised Statutes Supplement, 1999; to recognize certain out-of-state convictions for purposes of assessing penalties; and to repeal the original sections.

LEGISLATIVE BILL 1005. Introduced by Engel, 17.

A BILL FOR AN ACT relating to foster care; to amend sections 71-1902, 71-1904, and 71-1905, Reissue Revised Statutes of Nebraska, and sections 71-1901 and 71-1903, Revised Statutes Supplement, 1998; to provide for training as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1006. Introduced by Engel, 17; Connealy, 16; Dickey, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 23-224 and 23-259, Reissue Revised Statutes of Nebraska, and sections 77-3442, 77-3443, and 77-3444, Revised Statutes Supplement, 1999; to change provisions relating to the levy authority of townships; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1007. Introduced by Redfield, 12; Bruning, 3; Hilgert, 7.

A BILL FOR AN ACT relating to labor; to amend section 48-838, Reissue Revised Statutes of Nebraska; to clarify certain representation obligations of labor organization; and to repeal the original section.

LEGISLATIVE BILL 1008. Introduced by Chambers, 11; Brashear, 4.

A BILL FOR AN ACT relating to the criminal justice system; to amend sections 29-2261, 29-2521.02, and 81-1425, Reissue Revised Statutes of Nebraska, and Laws 1999, LB 76A, section 1; to provide powers and duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to appropriate and reappropriate funds; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1009. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to livestock; to amend sections 54-1185 and 54-2014, Revised Statutes Supplement, 1999; to change requirements for brand inspection at open markets; and to repeal the original sections.

LEGISLATIVE BILL 1010. Introduced by Baker, 44; Bohlke, 33; Bromm, 23; Engel, 17; Jones, 43; Kremer, 34; Matzke, 47; Raikes, 25; Stuhr, 24; Wehrbein, 2.

A BILL FOR AN ACT relating to educational land; to amend sections

72-240.26, 72-257, 72-258, and 72-258.02, Reissue Revised Statutes of Nebraska, and section 72-204, Revised Statutes Supplement, 1999; to define a term; to change procedures relating to classification and sale of land; to harmonize provisions; and to repeal the original sections.

RESOLUTIONS

LEGISLATIVE RESOLUTION 283. Introduced by Crosby, 29.

WHEREAS, Marjorie Marlette covered the courts and the correctional system as a reporter for the Lincoln Journal for 31 years; and

WHEREAS, Marjorie Marlette served on the Parole Board for two years; and

WHEREAS, Marjorie was active in the anti-death penalty movement and national correctional issues; and

WHEREAS, Marjorie Marlette died in November 1999.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its sympathy to the family of Marjorie Marlette.
2. That a copy of this resolution be sent to her family.

Laid over.

LEGISLATIVE RESOLUTION 284. Introduced by Hudkins, 21.

WHEREAS, on February 3, 1943, during the height of the Second World War, the U.S.S. Dorchester, a United States transport ship en route to Newfoundland with fifty other service vessels, was torpedoed by a German U-boat in icy seas approximately one hundred miles off the coast of Greenland; and

WHEREAS, among the more than nine hundred men aboard the U.S.S. Dorchester at the time of the attack were four U.S. Army Chaplains: George L. Fox (Methodist), Alexander D. Goode (Jewish), Clark V. Poling (Dutch Reformed), and John P. Washington (Roman Catholic); and

WHEREAS, During the approximately eighteen minutes that it took the U.S.S. Dorchester to sink, the four Army Chaplains worked together, comforting, directing to safety, and distributing life jackets to their frightened shipmates; and

WHEREAS, when the ship's supply of life jackets was exhausted, all four of the Army Chaplains voluntarily surrendered their own preservers to men who had none; and

WHEREAS, eye-witnesses reported last observing the four Army Chaplains standing arm-in-arm and praying together on deck as the U.S.S. Dorchester slipped beneath the ocean surface; and

WHEREAS, the four Army Chaplains rendered their selfless and lifesaving assistance to all, regardless of religion, creed, or any other concern save the welfare of their fellow servicemen; and

WHEREAS, many of the only 230 survivors of the sinking of the U.S.S. Dorchester, the third costliest U.S. loss of its kind during the war, owed their safety to the valor and self-sacrifice of the four Army Chaplains; and

WHEREAS, the heroic deeds of the four Army Chaplains continue to exemplify the highest ideals of personal bravery, interfaith compassion, nobility of conduct, and single-minded dedication to the service of both God and man.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That to commemorate the fifty-sixth anniversary of the sinking of the U.S.S. Dorchester and honor the memories and intrepid actions of Pastor Fox, Rabbi Goode, Pastor Poling, and Father Washington, as well as the spirit of ecumenicism which they represent, the Legislature hereby designates February 3, 2000, as "Four Chaplains Day."

2. That a copy of this resolution be sent to The Immortal Chaplains Foundation in Minneapolis, Minnesota.

Laid over.

LEGISLATIVE RESOLUTION 285. Introduced by Baker, 44.

WHEREAS, George W. Norris served Nebraska as a United States Representative from 1903-1913 and as a United States Senator from 1913-1943; and

WHEREAS, high on the list of achievements of George W. Norris is the creation of the Tennessee Valley Authority. He left a legacy of public power in every state except Hawaii, and especially in his home state of Nebraska. The public power districts and the rural electric associations of Nebraska provide one hundred percent of electric power in Nebraska, a cost-effective expression of local control and self-sufficiency; and

WHEREAS, George W. Norris was instrumental in the establishment of a nonpartisan, unicameral legislative body in the State of Nebraska, the first session of which convened on January 5, 1937; and

WHEREAS, since 1981, January 5 has been set aside as George W. Norris Day, a special day in Nebraska to honor the longtime Nebraska politician.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That January 5, 2000, be recognized as the first George W. Norris Day of this millennium. May we share his commitment to a better life for all people, and may his standard of service be a yardstick by which each of us tests our own objectives, appraises our own methods, and measures our own accomplishments.

Laid over.

LEGISLATIVE RESOLUTION 286. Introduced by Crosby, 29.

WHEREAS, Durward B. "Woody" Varner spent much of his time and energy in promoting the educational and cultural life of Nebraska; and

WHEREAS, Woody Varner served as the chancellor and president of the University of Nebraska and the chief executive of the NU Foundation; and

WHEREAS, Woody and his wife, Paula, worked to build the arts in Nebraska, as well as education, including the Lied Center for Performing Arts; and

WHEREAS, Woody Varner died Saturday, October 30, 1999, after a lifetime of service to the public through enhancement of Nebraska's educational institutions and cultural vitality.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its sympathy to the family of D.B. "Woody" Varner.
2. That a copy of this resolution be sent to his family.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 905. No objections. So ordered.

ANNOUNCEMENT

Senator Wickersham announced the Committee on Revenue will hold a public hearing on Wednesday, January 12, 2000, at 1:00 p.m. in Room 1524, to consider changes to the base limitation rate as required by Section 77-3446.

VISITORS

Visitors to the Chamber were Geraldo Hernandez from Puerto Rico and Mr. and Mrs. Bob Williamson from Humboldt.

The Doctor of the Day was Dr. Ron Klutman from Columbus.

ADJOURNMENT

At 12:36 p.m., on a motion by Senator Wehrbein, the Legislature adjourned until 10:00 a.m., Thursday, January 6, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

SECOND DAY - JANUARY 6, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 6, 2000

PRAYER

The prayer was offered by Rev. Harland Johnson, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Landis who was excused; and Senators Beutler, Chambers, Dierks, and Kiel who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the first day was approved.

MOTION - Adopt Temporary Rules

Senator Hudkins moved that the Rules, as now in our possession, be adopted for today only, Thursday, January 6, 2000.

The motion prevailed.

EASE

The Legislature was at ease from 10:08 a.m. until 10:37 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1011. Introduced by Byars, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for adult basic education programs; and to declare an emergency.

LEGISLATIVE BILL 1012. Introduced by Bruning, 3; Hartnett, 45; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicle registration; to amend section 60-302, Revised Statutes Supplement, 1999; to eliminate a grace period for a registration and licensing violation; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1013. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-208, Reissue Revised Statutes of Nebraska; to change the limitations period for certain actions; and to repeal the original section.

LEGISLATIVE BILL 1014. Introduced by Hartnett, 45; Bruning, 3; Dw. Pedersen, 39; Preister, 5; Thompson, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1347, Reissue Revised Statutes of Nebraska; to eliminate disqualifications for greenbelt valuation; and to repeal the original section.

LEGISLATIVE BILL 1015. Introduced by Kremer, 34; Coordsen, 32; Dierks, 40; Engel, 17; Hudkins, 21; Jones, 43; Quandahl, 31; Redfield, 12; Schrock, 38; Smith, 48; Stuhr, 24; Wehrbein, 2.

A BILL FOR AN ACT relating to county assessors; to amend section 23-3201, Reissue Revised Statutes of Nebraska, and section 77-1340, Revised Statutes Supplement, 1998; to change procedures for the transfer of the assessment function to the Property Tax Administrator; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1016. Introduced by Janssen, 15; Lynch, 13.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-3002 and 60-3006, Revised Statutes Supplement, 1999; to provide an exemption from motor vehicle taxes and fees for Purple Heart recipients; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1017. Introduced by Matzke, 47; Baker, 44; Connealy, 16; Coordsen, 32; Dierks, 40; Jones, 43; Kremer, 34; Schrock, 38; Wehrbein, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201, 77-1344, and 77-5023, Revised Statutes Supplement, 1998, and section 79-1016, Revised Statutes Supplement, 1999; to change provisions relating to valuation of agricultural and horticultural land; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1018. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14; and Connealy, 16; Cudaback, 36; Janssen, 15; Kremer, 34; Lynch, 13; D. Pederson, 42.

A BILL FOR AN ACT relating to motor vehicle industry licensing; to amend sections 60-1401.02, 60-1403.01, 60-1417, 60-1434, and 60-1438, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to licenses, franchises, motor vehicle sales, and consumer care or service facilities; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1019. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-483, Reissue Revised Statutes of Nebraska; to change powers and duties of the Director of Motor Vehicles; and to repeal the original section.

LEGISLATIVE BILL 1020. Introduced by Schrock, 38; Connealy, 16; Hudkins, 21; Matzke, 47; Raikes, 25; Stuhr, 24; Vrtiska, 1.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,299, Reissue Revised Statutes of Nebraska, and section 60-601, Revised Statutes Supplement, 1999; to provide for the distribution of fees; to allow local authorities to issue vehicle overweight permits as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1021. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 49-1423, 49-1489, 49-1490, and 49-1496, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1493, Revised Statutes Supplement, 1999; to change provisions relating to filings required by lobbyists and principals and statements of financial interests; to require reporting of certain gifts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1022. Introduced by Robak, 22; Kiel, 9; Suttle, 10;

Thompson, 14.

A BILL FOR AN ACT relating to corrections; to create the Community Criminal Justice Treatment Task Force; to provide intent and establish duties; and to provide a termination date.

LEGISLATIVE BILL 1023. Introduced by Hudkins, 21; Dierks, 40.

A BILL FOR AN ACT relating to veterinarians; to amend sections 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska; to provide for licensure of graduates of foreign institutions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1024. Introduced by Suttle, 10; Bourne, 8; Hilgert, 7; Kiel, 9.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.02, Revised Statutes Supplement, 1998; to change the sales and use tax rate; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1025. Introduced by Suttle, 10; Byars, 30; Price, 26.

A BILL FOR AN ACT relating to nursing; to adopt the Nursing Scholarship Act, the Nursing Incentive to Practice Act, the Nursing Student Loan Act, the Nursing Loan Repayment Act, and the Nebraska Center for Nursing Act.

LEGISLATIVE BILL 1026. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,110, Reissue Revised Statutes of Nebraska; to change penalty provisions relating to motor vehicle impoundment; and to repeal the original section.

LEGISLATIVE BILL 1027. Introduced by Robak, 22; Schmitt, 41.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-601, Revised Statutes Supplement, 1999; to prohibit nitrous oxide power booster systems on motor vehicles as prescribed; to harmonize provisions; and to repeal the original section.

EASE

The Legislature was at ease from 10:41 a.m. until 11:13 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1028. Introduced by Schmitt, 41; Dierks, 40.

A BILL FOR AN ACT relating to the Uniform Licensing Law; to amend section 71-101, Revised Statutes Supplement, 1999; to provide that chelation therapy is not grounds for a charge of unprofessional conduct; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1029. Introduced by Jensen, 20; Price, 26; Suttle, 10.

A BILL FOR AN ACT relating to health services; to create an advisory committee; to provide requirements for health worker safety; and to provide duties.

LEGISLATIVE BILL 1030. Introduced by Thompson, 14; Bourne, 8; Bruning, 3; Connealy, 16; Hilgert, 7; Dw. Pedersen, 39; Redfield, 12; Robak, 22.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1999; to create the offense of identity theft; and to repeal the original section.

LEGISLATIVE BILL 1031. Introduced by Thompson, 14; Bruning, 3; Hartnett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1823, Reissue Revised Statutes of Nebraska; to change a fee for certain deeds and certificates; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1032. Introduced by Price, 26.

A BILL FOR AN ACT relating to motor vehicles; to provide for license plates designated for veterans; and to declare an emergency.

LEGISLATIVE BILL 1033. Introduced by Thompson, 14; Preister, 5; Schmitt, 41.

A BILL FOR AN ACT relating to the Clean Air Act; to amend section 71-5707, Revised Statutes Supplement, 1999; to prohibit smoking in certain designated areas; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1034. Introduced by Robak, 22.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-180.07 and 53-1,104, Reissue Revised Statutes of Nebraska; to change provisions relating to prosecutions for sale of liquor to a minor and to retail license suspension; and to repeal the original sections.

LEGISLATIVE BILL 1035. Introduced by Stuhr, 24; Baker, 44; Crosby, 29; Hilgert, 7; Hudkins, 21; Price, 26; Schrock, 38.

A BILL FOR AN ACT relating to tobacco products; to amend sections 28-1420, 28-1421, 28-1423 to 28-1427, and 28-1429.02, Reissue Revised Statutes of Nebraska, and section 28-1422, Revised Statutes Supplement, 1998; to define terms; to change provisions and penalties relating to minors; to provide duties for licensees; to provide a penalty for manufacturing certain false identification; to harmonize provisions; to repeal the original sections; and to outright repeal sections 28-1418 and 28-1419, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1036. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3442 and 79-1028, Revised Statutes Supplement, 1999; to exclude certain payments by schools from the maximum levy amount and the allowable growth rate; and to repeal the original sections.

LEGISLATIVE BILL 1037. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to liens; to amend section 60-1903, Revised Statutes Supplement, 1999; to provide limits on artisan's liens with respect to lienholders of record as prescribed; to limit costs to recover abandoned vehicle collateral; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 1038. Introduced by Quandahl, 31; Kiel, 9.

A BILL FOR AN ACT relating to credit unions; to amend section 21-1740, Reissue Revised Statutes of Nebraska; to provide powers to close loans at other locations as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1039. Introduced by Quandahl, 31; Kiel, 9.

A BILL FOR AN ACT relating to revenue and taxation; to provide for reduction of tax levies as prescribed.

LEGISLATIVE BILL 1040. Introduced by Beutler, 28; Preister, 5; Schrock, 38.

A BILL FOR AN ACT relating to water quality monitoring; to provide for a study; to provide duties for the Department of Environmental Quality; and to state intent relating to appropriations.

LEGISLATIVE BILL 1041. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4401, Reissue Revised Statutes of Nebraska, and section 66-1345, Revised Statutes Supplement, 1999; to change provisions relating to the commercial fertilizer fee; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1042. Introduced by Wickersham, 49; Kristensen, 37.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend sections 77-202.04, 77-5003, 77-5005, and 77-5009, Revised Statute Supplement, 1998, and section 77-1519, Revised Statutes Supplement, 1999; to increase the number of commissioners; to provide for panels; to change duties of special masters; to change procedures for appeals to the Court of Appeals; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1043. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend section 77-1511, Reissue Revised Statutes of Nebraska; to change certain standards of review; and to repeal the original section.

LEGISLATIVE BILL 1044. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Revised Statutes Supplement, 1999; to change the calculation of state aid value; and to repeal the original section.

LEGISLATIVE BILL 1045. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the Employment and Investment Growth Act; to amend section 77-4106, Reissue Revised Statutes of Nebraska; to disallow refunds of certain sales taxes; and to repeal the original section.

LEGISLATIVE BILL 1046. Introduced by Wickersham, 49; Bohlke, 33; Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4107, Reissue Revised Statutes of Nebraska, section 77-27,188.02, Revised Statutes Supplement, 1998, and section 77-4112, Revised Statutes Supplement, 1999; to require payment of interest on recaptured tax credits and incentives; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 1047. Introduced by Wickersham, 49; Coordsen, 32.

A BILL FOR AN ACT relating to the Employment and Investment Growth Act; to amend section 77-4105, Reissue Revised Statutes of Nebraska, and sections 77-4101, 77-4104, and 77-4112, Revised Statutes Supplement, 1999; to provide for adjustment of investment levels; to provide for applicability of changes; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1048. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1704, 77-1705, 77-1721, 77-1738, 77-1739, 77-1801, and 77-1862, Reissue Revised Statutes of Nebraska, and sections 77-1716 to 77-1718, Revised Statutes Supplement, 1998; to authorize installment payments for certain property taxes; to provide duties and procedures; to change provisions related to delinquent taxes on mobile homes; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 1049. Introduced by Wickersham, 49; Redfield, 12; Schrock, 38; Wehrbein, 2.

A BILL FOR AN ACT relating to the Air and Water Pollution Control Tax Refund Act; to eliminate an act; to provide for applicability; and to outright repeal sections 77-27,149 to 77-27,155, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1050. Introduced by Suttle, 10; Beutler, 28.

A BILL FOR AN ACT relating to telephone solicitation; to amend section 75-156, Reissue Revised Statutes of Nebraska; to define terms; to provide duties for telephone solicitors; to provide for procedures and appeals; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1051. Introduced by Robak, 22; Crosby, 29; Suttle, 10.

A BILL FOR AN ACT relating to medical assistance; to state intent; to define terms; and to provide for assistance for persons with a medically improved disability as prescribed.

LEGISLATIVE BILL 1052. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section 54-170, Revised Statutes Supplement, 1999; to provide for a registered dairy program; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1053. Introduced by Jones, 43; Kremer, 34; Schmitt, 41; Smith, 48; Wehrbein, 2.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-561 and 37-564, Reissue Revised Statutes of Nebraska, and sections 37-226 and 37-613, Revised Statutes Supplement, 1999; to change provisions relating to raccoons; to redefine a term; to eliminate a penalty; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1054. Introduced by Jones, 43; Baker, 44; Kremer, 34; Schmitt, 41; Smith, 48.

A BILL FOR AN ACT relating to the Board of Educational Lands and Funds; to amend section 72-201, Revised Statutes Supplement, 1999; to change membership requirements; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1055. Introduced by Jones, 43.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1601, Revised Statutes Supplement, 1998; to change a time limit for the correction of clerical errors; and to repeal the original section.

LEGISLATIVE BILL 1056. Introduced by Jones, 43; Bromm, 23; Cudaback, 36; Dierks, 40; Hudkins, 21; Schmitt, 41; Schrock, 38; Wickersham, 49.

A BILL FOR AN ACT relating to schools; to amend section 79-1089, Revised Statutes Supplement, 1999; to change provisions relating to audits of Class I districts; and to repeal the original section.

LEGISLATIVE BILL 1057. Introduced by Jones, 43; Connealy, 16; Dickey, 18; Dierks, 40; Engel, 17; Hudkins, 21; Kremer, 34; Redfield, 12; Schmitt, 41; Tyson, 19; Wehrbein, 2.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend sections 77-202 and 77-5201, Revised Statutes Supplement, 1999; to create a personal property tax credit; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1058. Introduced by Wickersham, 49; Matzke, 47; Raikes, 25.

A BILL FOR AN ACT relating to schools; to amend section 79-1005.01, Revised Statutes Supplement, 1999; to change state aid calculations; and to repeal the original section.

LEGISLATIVE BILL 1059. Introduced by Bourne, 8; Connealy, 16.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1999; to create an offense of ticket scalping; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1060. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to insurance; to amend section 44-6412, Reissue Revised Statutes of Nebraska; to change provisions relating to underinsured motorist coverage; and to repeal the original section.

LEGISLATIVE BILL 1061. Introduced by Bourne, 8; Hilgert, 7; Preister, 5; Suttle, 10.

A BILL FOR AN ACT relating to homesteads; to amend sections 77-3504 and 77-3530, Reissue Revised Statutes of Nebraska; to redefine household income; to provide for applicability; and to repeal the original sections.

LEGISLATIVE BILL 1062. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.04 and 81-885.24, Reissue Revised Statutes of Nebraska; to provide an exemption from the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1063. Introduced by Bourne, 8; Hilgert, 7; Suttle, 10.

A BILL FOR AN ACT relating to homestead exemptions; to amend sections 77-3510 and 77-3512, Revised Statutes Supplement, 1998; to change an application date; to harmonize provisions; and to repeal the original sections.

UNANIMOUS CONSENT - Add Cointroducers

Senator Cudaback asked unanimous consent to have his name added as cointroducer to LB 289A. No objections. So ordered.

Senator Quandahl asked unanimous consent to have his name added as cointroducer to LB 126. No objections. So ordered.

Senators Jones and Price asked unanimous consent to have their names added as cointroducers to LB 987. No objections. So ordered.

ANNOUNCEMENT

Senator Dw. Pedersen designates LB 652 as his priority bill.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1064. Introduced by Smith, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for expansion of the Western Nebraska Veterans' Home.

LEGISLATIVE BILL 1065. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,108, Reissue Revised Statutes of Nebraska; to change penalty provisions relating to operating a motor vehicle during a period of license suspension, revocation, or impoundment; and to repeal the original section.

LEGISLATIVE BILL 1066. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to motor fuel; to amend sections 66-485, 66-487, 66-488, 66-491, 66-492, 66-4,114, 66-4,147, 66-525, 66-527, 66-651, 66-654, 66-667, 66-673, 66-674, 66-675, 66-684, 66-694, 66-698, 66-6,110, 66-6,115, 66-719, 66-722, 66-723, and 66-727, Reissue Revised Statutes of Nebraska, and sections 66-681, 66-718, and 66-1521, Revised Statutes Supplement, 1998; to change provisions relating to exporters, permits, licenses, penalties, and filings; to define and redefine terms; to eliminate obsolete provisions and provisions relating to tax collection; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 66-493, 66-4,115, 66-691.01, 66-696, and 66-730, Reissue Revised Statutes of Nebraska; and to declare an emergency.

RESOLUTION

LEGISLATIVE RESOLUTION 287CA. Introduced by Jones, 43; Schmitt, 41.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 6:

III-6 "The Legislature shall consist of not more than ~~fifty~~ fifty-five members and not less than thirty members. The sessions of the Legislature shall be annual except as otherwise provided by this constitution or as may be otherwise provided by law.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to change the maximum number of members of the Legislature.
For
Against".

Referred to the Reference Committee.

VISITORS

Visitors to the Chamber were Allen Bergman from Alexandria, Virginia; LaVern and Mary Ann Quiring from Hampton; and Ben Davison, Lisa Decker, Dan Kennedy, Allison Kline, Kelly Kuiken, Marta Niziolek, and Cheryl Pattie from Dana College, Blair.

The Doctor of the Day was Dr. Dale Michels from Lincoln.

ADJOURNMENT

At 11:24 a.m., on a motion by Senator Smith, the Legislature adjourned until 10:00 a.m., Friday, January 7, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRD DAY - JANUARY 7, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 7, 2000

PRAYER

The prayer was offered by Rev. Harland Johnson, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Crosby and Landis who were excused; and Senators Beutler, Byars, Engel, Hartnett, Hudkins, Kiel, and Raikes who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the second day was approved.

MOTION - Adopt Temporary Rules

Speaker Kristensen moved that the Rules, as now in our possession, be adopted for today only, Friday, January 7, 2000.

The motion prevailed.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills:

LB/LR	Committee
LB 884	General File
LB 885	General File
LB 886	General File
LB 887	General File

LB 888	General File
LB 889	General File
LB 890	General File
LB 891	General File
LB 892	General File
LB 893	General File
LB 894	General File
LB 895	Revenue
LB 896	Education
LB 897	Business and Labor
LB 898	Health and Human Services
LB 899	Judiciary
LB 900	Natural Resources
LB 901	Natural Resources
LB 902	Natural Resources
LB 903	Natural Resources
LB 904	Natural Resources
LB 905	General Affairs
LB 906	Transportation
LB 907	Judiciary
LB 908	Judiciary
LB 909	Education
LB 910	Transportation
LB 911	Health and Human Services
LB 912	General Affairs
LB 913	General Affairs
LB 914	Health and Human Services
LB 915	Business and Labor
LB 916	Revenue
LB 917	Banking, Commerce and Insurance
LB 918	Banking, Commerce and Insurance
LB 919	Revenue
LB 920	Health and Human Services
LB 921	Judiciary
LB 922	Judiciary
LB 923	Health and Human Services
LB 924	Revenue
LB 925	Revenue
LB 926	Judiciary
LB 927	Judiciary
LB 928	Revenue
LB 929	Banking, Commerce and Insurance
LB 930	Banking, Commerce and Insurance
LB 931	Banking, Commerce and Insurance
LB 932	Banking, Commerce and Insurance
LB 933	Government, Military and Veterans Affairs
LB 934	Government, Military and Veterans Affairs
LB 935	Government, Military and Veterans Affairs

LB 936	Revenue
LB 937	Government, Military and Veterans Affairs

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENTS

Senator Lynch designates LB 659 as his priority bill.

Senator Kremer designates LB 1018 as his priority bill.

PROPOSED RULES CHANGES

The Rules Committee offered the following proposed rules changes:

Rule 3, Section 2(b)

(b) Immediately following chairmanship and Committee on Committees membership elections, the Committee shall meet and, by a majority vote of all its members, submit to the Legislature a preliminary report of appointments to the remaining standing and select committees, each with the number of members as hereinafter set forth, unless otherwise provided for by rule or statute. On the following day the Committee on Committees shall meet and, by a majority vote of all its member, submit to the Legislature a final report for its approval, appointments to the standing and select committees, each with a number of members as hereinafter set forth, unless otherwise provided for by rule or statute. Both the preliminary and final reports shall establish geographically symmetrical representation within the individual committees by insuring that the three caucuses are represented, as equally as possible, on each of the committees to which appointments are made. To preserve this geographic integrity, those appointed to nine-member committees may not exchange committee seat assignments between caucuses. Once the final report is presented to the Legislature, no amendments shall be considered. If the Legislature, by a majority of the elected members, fails to adopt the final report of the Committee on Committees, such report shall be returned to Committee for further action.

Rule 3, Section 3

Sec. 3. Standing Committees. (a) The standing committees of the Legislature shall be as follows:

~~Agriculture~~	~~8 members~~
Agriculture, Environment and Natural Resources	9 members
Appropriations	9 members
Banking, Commerce and Insurance	~~8~~ 7 members

Business and Labor	7 members
Education	~~8~~ 9 members
General Affairs	~~8~~ 7 members
Government, Military and Veterans Affairs	~~8~~ 7 members
Health and Human Services	7 members
Judiciary	~~8~~ 7 members
~~Natural Resources~~	~~8 members~~
Nebraska Retirement Systems	6 members
Revenue	~~8~~ 9 members
~~Transportation~~	~~8 members~~
Transportation and Telecommunications	9 members
Urban Affairs	7 members

(b) The Speaker shall not be a regular member of a standing committee.

Rule 3, Section 6

Sec. 6 Meeting Times. (a) After consultation with the Speaker, the Committee on Committees shall publish a schedule of standing committee meetings, in such a manner as to avoid, as far as possible, conflicts in the assignment of members to committees. Standing committees shall meet at 1:30 p.m. on weekdays, unless otherwise approved by the Legislature, except for the Nebraska Retirement Systems Committee, which shall meet as called by the chairperson. Standing committees shall be scheduled to meet the following number of days per week:

Agriculture, Environment and Natural Resources	3 days
Appropriations	5 days
Banking, Commerce and Insurance	2 days
Business and Labor	1 day
Education	2 days
General Affairs	1 day
Government, Military and Veterans Affairs	3 days
Health and Human Services	3 days
Judiciary	4 days
Nebraska Retirement Systems	Subject to call by the Chair
Revenue	3 days
Transportation and Telecommunications	2 days
Urban Affairs	1 day

The rules changes shall become effective January 3, 2001.

ANNOUNCEMENT

The Chair announced tomorrow is Senator Hilgert's birthday.

EASE

The Legislature was at ease from 10:09 a.m. until 10:32 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1067. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to motor fuel tax; to amend sections 66-482 and 66-4,141 to 66-4,144, Revised Statutes Supplement, 1998; to change the manner of setting variable fuel tax rates; to eliminate the State Tax Board; to harmonize provisions; to repeal the original sections; to outright repeal sections 77-501 to 77-503, Revised Statutes Supplement, 1998; and to declare an emergency.

LEGISLATIVE BILL 1068. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to the Secretary of State; to amend section 33-101, Reissue Revised Statutes of Nebraska; to provide fees for searching records as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1069. Introduced by Baker, 44; Schrock, 38.

A BILL FOR AN ACT relating to irrigation; to amend section 46-692, Reissue Revised Statutes of Nebraska; to change provisions relating to cost-share assistance; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1070. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1999; to adopt the Agricultural Property Tax Credit Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1071. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to amend section 2-4808, Reissue Revised Statutes of Nebraska; to adopt the Agricultural Production Contract Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1072. Introduced by Hartnett, 45; Bruning, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.04, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 1998; to provide an adjustment to income for capital gains; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1073. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3442, Revised Statutes Supplement, 1999; to change tax levy limit provisions; and to repeal the original section.

LEGISLATIVE BILL 1074. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to inheritance tax; to amend section 77-2004, Revised Statutes Supplement, 1998; to change the exempt amount; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1075. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14.

A BILL FOR AN ACT relating to the State Highway Commission; to amend section 39-1108, Reissue Revised Statutes of Nebraska; to change provisions relating to meetings; and to repeal the original section.

LEGISLATIVE BILL 1076. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,140, 60-6,230, and 60-6,232, Reissue Revised Statutes of Nebraska; to change provisions relating to rotating or flashing lights; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1077. Introduced by Transportation Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14.

A BILL FOR AN ACT relating to the Nebraska Railway Council; to amend sections 66-4,100 and 74-1413, Reissue Revised Statutes of Nebraska; to change provisions relating to payment of expenses; and to repeal the original sections.

LEGISLATIVE BILL 1078. Introduced by Bruning, 3; Hilgert, 7; Redfield, 12.

A BILL FOR AN ACT relating to insurance; to provide requirements relating to use of the 911 system.

LEGISLATIVE BILL 1079. Introduced by Schrock, 38; Chambers, 11; Dierks, 40.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-954, 16-230, and 17-563, Reissue Revised Statutes of Nebraska, section 81-2,147.06, Revised Statutes Supplement, 1998, and sections 28-401 and 28-405, Revised Statutes Supplement, 1999; to provide for cultivation of industrial hemp; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1080. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to digital signatures; to amend section 86-1701, Reissue Revised Statutes of Nebraska; to provide for use of electronic communications by state government; and to repeal the original section.

LEGISLATIVE BILL 1081. Introduced by Cudaback, 36; Lynch, 13.

A BILL FOR AN ACT relating to counties; to amend sections 47-119 and 47-119.01, Reissue Revised Statutes of Nebraska; to redefine a term; to provide for reimbursement to counties for parolees' detention expenses; and to repeal the original sections.

LEGISLATIVE BILL 1082. Introduced by Robak, 22.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2702.07, Revised Statutes Supplement, 1999; to exempt certain motor vehicle sales from sales taxation; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1083. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to state employees; to adopt the Nebraska Cares Act.

AMENDMENTS - Print in Journal

Senator Schrock filed the following amendment to LB 701:
AM1990

(Amendments to AM0719)

1. On page 1, line 23, after the period insert "Before the commission may construct any division fence described in this section, the landowner shall file a written request for the construction of such fence with the commission."; and in line 24 after "(2)" insert "The cost-share responsibility of the commission for division fences shall not exceed the amount appropriated to the commission by the Legislature for such purpose during any biennium, except that the commission may use any funds specifically gifted or obtained by grant application to the commission the sole purpose of which is to provide division fencing

for a state recreational trail.
(3)".

Senator Dierks filed the following amendment to LB 604:
AM1991
1. On page 2, line 13; page 4, line 17; page 7, line 2; and page 8, line 18, strike "December 22" and insert "February 28".

EASE

The Legislature was at ease from 10:35 a.m. until 10:54 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1084. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to the Business Corporation Act; to amend section 21-2001, Reissue Revised Statutes of Nebraska; to grant effect to certain acknowledgements; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1085. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to the Commission on Public Advocacy; to amend section 29-3931, Revised Statutes Supplement, 1998, and sections 49-506 and 49-617, Revised Statutes Supplement, 1999; to change provisions relating to operations; to provide for distribution of session laws, the legislative journal, and statutes as prescribed; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1086. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to bingo and other gambling; to amend sections 2-219, 9-1,104, 9-204.01, 9-226, 9-232.02, 9-232.03, 9-233, 9-241.03, 9-255.06, 9-322, 9-328, 9-329, 9-329.02, 9-345.01, 9-345.03, 9-418, 9-425, 9-426, 9-501, 9-507, 9-509, and 9-620, Reissue Revised Statutes of Nebraska; to provide for biennial licenses and fees; to change provisions relating to state, district, and county fairs, fingerprinting requirements, bingo cards, and lottery and raffle winner determinations; to change and provide powers and duties; to redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1087. Introduced by Smith, 48.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 83-162.04, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Supplement, 1999; to provide for a transfer of funds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1088. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to provide tax credits for employer-sponsored and employer-provided child care; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1089. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to driving under the influence; to amend section 60-6,196, Revised Statutes Supplement, 1999; to change penalty provisions with respect to alcohol assessments; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1090. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-102, 60-106, 60-117, and 60-314, Reissue Revised Statutes of Nebraska; to prohibit the sale of certain vehicles to persons without a motor vehicle operator's license; to change provisions relating to certificates of title; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1091. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to infants and juveniles; to amend section 43-801, Reissue Revised Statutes of Nebraska; to change provisions relating to parental liability; and to repeal the original section.

LEGISLATIVE BILL 1092. Introduced by Robak, 22; Dierks, 40; Janssen, 15; Jones, 43; Schmitt, 41; Tyson, 19.

A BILL FOR AN ACT relating to agriculture; to state intent; and to provide for a state meat inspection pilot program.

LEGISLATIVE BILL 1093. Introduced by Stuhr, 24; Baker, 44; Janssen, 15; Kremer, 34.

A BILL FOR AN ACT relating to crimes and offenses; to amend section

28-101, Revised Statutes Supplement, 1999; to create the offense of theft of video rental property; to provide penalties; to provide an affirmative defense; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1094. Introduced by Jensen, 20; Dickey, 18; Schrock, 38.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Revised Statutes Supplement, 1999; to change provisions relating to violations by the licensee; to provide penalties; to provide duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1095. Introduced by Jensen, 20; Byars, 30; Dickey, 18.

A BILL FOR AN ACT relating to physicians; to amend section 71-147, Revised Statutes Supplement, 1999; to adopt the Physician Self-Referral Act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1096. Introduced by Redfield, 12; Byars, 30; Coordsen, 32; Cudaback, 36; Dickey, 18; Dierks, 40; Quandahl, 31; Tyson, 19.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 1999; to adopt the Personal Identity Defense Act; to create the offense of identity fraud; to define terms; to provide penalties; to provide for civil recourse; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1097. Introduced by Landis, 46.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-1908 and 86-1911, Reissue Revised Statutes of Nebraska; to change cramming provisions; to provide for a civil penalty; and to repeal the original sections.

LEGISLATIVE BILL 1098. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the Municipal Infrastructure Redevelopment Fund Act; to amend sections 18-2601 to 18-2603 and 18-2606 to 18-2608, Reissue Revised Statutes of Nebraska, and section 77-3,119, Revised Statutes Supplement, 1998; to provide for the issuance of bonds payable from the fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1099. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to provide for refunds of sales and use taxes paid relating to film production; to harmonize provisions; and to repeal the original section.

RESOLUTION

LEGISLATIVE RESOLUTION 288. Introduced by D. Pederson, 42.

WHEREAS, lifeguards are trained to recognize the warning signs of swimmers in trouble and to react quickly; and

WHEREAS, lifeguards Ryan Thompson, Jered Jorgensen, and Eric Danielson rescued a nine-year-old boy and, through the application of life-saving techniques carried out until paramedics arrived, saved his life; and

WHEREAS, lifeguards Ryan Thompson, Jered Jorgensen, and Eric Danielson are to be commended for the skill and performance they demonstrated in administering such techniques and procedures and in saving the life of a nine-year-old boy at the North Platte Recreation Complex.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates and commends these three young men and Supervisor and Lifeguard Training Instructor Trudy Merritt for their valiant efforts and quick actions. Their selfless act will compel each of us to become more aware of our own contributions to the preservation of society and our neighbors.

2. That a copy of this resolution be sent to the families of each of these young men and Supervisor Merritt.

Laid over.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 383:
AM1951

(Amendments to Standing Committee amendments, AM0428)

1. Strike amendments 1 through 3 and insert the following new amendments:

"1. On page 3, line 20, strike '1999' and insert '2000'.

2. On page 4, lines 18 through 28, strike the new matter.

3. On page 7, line 13, strike '1999' and insert '2000'; and in line 14 strike 'one-half' and insert 'one-tenth'.

4. On page 11, line 23, strike '1999' and insert '2000'.".

UNANIMOUS CONSENT - Add Cointroducers

Senator Quandahl asked unanimous consent to have his name added as cointroducer to LB 175. No objections. So ordered.

Senator Kristensen asked unanimous consent to have his name added as cointroducer to LB 949. No objections. So ordered.

Senator Tyson asked unanimous consent to have his name added as cointroducer to LB 905. No objections. So ordered.

Senator Hartnett asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

Senator Suttle asked unanimous consent to have her name added as cointroducer to LB 1026. No objections. So ordered.

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 1065. No objections. So ordered.

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 905. No objections. So ordered.

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 910. No objections. So ordered.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1100. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1327, Revised Statutes Supplement, 1999; to change provisions relating to assessment of property; to provide for creation of a sales file; and to repeal the original section.

VISITORS

The Doctor of the Day was Dr. Jay Matzke from Seward.

ADJOURNMENT

At 10:57 a.m., on a motion by Senator Smith, the Legislature adjourned until 10:00 a.m., Monday, January 10, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FOURTH DAY - JANUARY 10, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 10, 2000

PRAYER

The prayer was offered by Father Thomas Leitner, St. Benedict Center, Schuyler, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Crosby, Suttle, and Wickersham who were excused; and Senators Brown and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the third day was approved.

MOMENT OF SILENCE

A moment of silence was observed in memory of Governor Robert Crosby who passed away Friday, January 7, 2000.

MOTION - Adopt Temporary Rules

Senator Hudkins moved that the Rules, as now in our possession, be adopted for today only, Monday, January 10, 2000.

Senator Chambers requested a record vote on the motion to adopt temporary rules.

Voting in the affirmative, 37:

Aguilar
Baker
Beutler
Bourne
Brashear
Bromm
Bruning
Byars
Connealy
Coordsen
Cudaback
Dickey
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Price
Redfield
Robak
Schmitt
Schrock
Smith
Stuhr
Thompson
Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 6:

Bohlke
Dierks
Preister
Quandahl
Raikes
Schimek

Excused and not voting, 5:

Brown
Crosby
Suttle
Tyson
Wickersham

The motion to adopt temporary rules prevailed with 37 ayes, 1 nay, 6 present and not voting, and 5 excused and not voting.

ANNOUNCEMENT

The Chair announced Saturday, January 8, was Senator Kremer's birthday.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills and appointments:

LB/LR	**Committee**
LB 938	Judiciary
LB 939	Natural Resources
LB 940	Judiciary
LB 941	Revenue
LB 942	Revenue
LB 943	Revenue
LB 944	Revenue
LB 945	Revenue
LB 946	Revenue
LB 947	Revenue
LB 948	Revenue
LB 949	Revenue
LB 950	Health and Human Services
LB 951	Transportation

LB 952	Appropriations
LB 953	Business and Labor
LB 954	Banking, Commerce and Insurance
LB 955	Revenue
LB 956	Government, Military and Veterans Affairs
LB 957	Agriculture
LB 958	Agriculture
LB 959	Agriculture
LB 960	Agriculture
LB 961	Agriculture
LB 962	Revenue
LB 963	Health and Human Services
LB 964	Agriculture
LB 965	Health and Human Services
LB 966	Judiciary
LB 967	Revenue
LB 968	Revenue
LB 969	Transportation
LB 970	Transportation
LB 971	Judiciary
LB 972	Judiciary
LB 973	General Affairs
LB 974	Judiciary
LB 975	General Affairs
LB 976	General Affairs
LB 977	General Affairs
LB 978	Appropriations
LB 979	General Affairs
LB 980	Natural Resources
LB 981	Health and Human Services
LB 982	General Affairs
LB 983	Health and Human Services
LB 984	Judiciary
LB 985	Revenue
LB 986	Education
LB 987	Revenue

Abbott, Allan - Nebraska Transit and Rail Advisory Council - Transportation

Acklie, Duane - State Highway Commission - Transportation

Akerson, Jeffrey - State Board of Health - Health and Human Services

Anderson, James - Board of Public Roads Classifications and Standards - Transportation

Augustine, Samuel - State Board of Health - Health and Human Services

Bauer, James - Board of Public Roads Classifications and Standards - Transportation

Becker, Chris - Board of Emergency Medical Services - Health and Human Services

Beins, Bruce - Board of Emergency Medical Services - Health and Human Services

Bettger, Robert E. - Environmental Quality Council - Natural Resources

Black, Rick - Public Employees Retirement Bd. - Nebraska Retirement Systems

Blake, William - Commission of Industrial Relations - Business and Labor

Bleich, Christine - State Emergency Response Commission - Government, Military and Veterans Affairs

Boyle, Ann - Nebraska Transit and Rail Advisory Council - Transportation

Brueggemann, William - Crime Victims Reparation Committee - Judiciary

Burger, G. Pete - Commission of Industrial Relations - Business and Labor

Carson, Charles - Volunteer Service Award Benefit Review Board - Urban Affairs

Contonis, Daniel - Public Employees Retirement Board - Nebraska Retirement Systems

Datus, Randall - Board of Emergency Medical Services - Health and Human Services

Dietz, James - State Electrical Board - General Affairs

Eitel, Duane - Nebraska Transit and Rail Advisory Council - Transportation

Fagerland, Jerome - Nebraska Highway Commission - Transportation

Figard, Roger - Nebraska Transit and Rail Advisory Council - Transportation

Flower, Rhonda - Nebraska Liquor Control Commission - General Affairs

Ford, Scot - Crime Victims Reparation Committee - Judiciary

Frederick, Roy - Beginning Farmer Board - Agriculture

George, Riley - State Electrical Board - General Affairs

Gilfillan, Dave - Nebraska Transit and Rail Advisory Council - Transportation

Gomez, Mike - Board of Parole - Judiciary

Grove, Lee - Nebraska Ethanol Board - Natural Resources

Grutsch, Michael - Board of Emergency Medical Services - Health and Human Services

Heckman, Barbara - Foster Care Review Board - Health and Human Services

Herald, Kim - State Emergency Response Commission - Government, Military and Veterans Affairs

Hilferty, Dave - Nebraska Ethanol Board - Natural Resources

Hoover, David - State Board of Health - Health and Human Services

Janssen, Georgia - Nebraska Transit and Rail Advisory Council - Transportation

Keller, M. Jane - Board of Educational Lands and Funds - Education

Kingsbury, John - State Highway Commission - Transportation

Knobbe, Harry - Beginning Farmer Board - Agriculture

Kuckkahn, Rick - State Emergency Response Commission - Government, Military and Veterans Affairs

Lazure, Linda - State Board of Health - Health and Human Services

Matzke, Gerald - Board of Emergency Medical Services - Health and Human Services

Mayer, Travis - Volunteer Service Award Benefit Review Board - Urban Affairs

Mullen, Paul - Nebraska Transit and Rail Advisory Council - Transportation

Neth, Beverly - Motor Vehicles, Director - Transportation

Nutt, Thomas L. - Nebraska Commission on Compulsive Gambling - General Affairs

Ongerth, Michael - Nebraska Transit and Rail Advisory Council - Transportation

Pohlmann, Dale - Beginning Farmer Board - Agriculture

Reimers, Mark - State Emergency Response Commission - Government, Military and Veterans Affairs

Reynolds, Mark - Tax Equalization and Review Commission - Revenue

Rogers, Thompson - Nebraska Arts Council - General Affairs

Ross, Nicholas - Volunteer Service Award Benefit Review Board - Urban Affairs

Ruby, Richard - Board of Public Roads Classifications and Standards - Transportation

Schiefen, James - State Board of Health - Health and Human Services

Schram, Timothy - Board of Public Roads Classifications and Standards - Transportation

Schweitzer, Clarence - Volunteer Service Award Benefit Review Board - Urban Affairs

Seever, Samuel F. - State Personnel Board - Government, Military and Veterans Affairs

Sjulin, R. Paul - Nebraska Arts Council - General Affairs

Stine, Greg - Nebraska Investment Council - Nebraska Retirement Systems

Stinnette, Randall - Game and Parks Commission - Natural Resources

Stuckey, Todd, M.D. - Rural Health Advisory Commission - Health and Human Services

Tagge, Darold - Board of Public Roads Classifications and Standards - Transportation

Teller, Fred - Nebraska Arts Council - General Affairs

Templar, James - Volunteer Service Award Benefit Review Board - Urban Affairs

Thieman, Henry - Board of Public Roads Classifications and Standards - Transportation

Tichota, Robert - Volunteer Service Award Benefit Review Board - Urban Affairs

Timmerman, Gerald - Beginning Farmer Board - Agriculture

Vieregger, Henry - Board of Public Roads Classifications and Standards - Transportation

Wais, Tom - Nebraska Transit and Rail Advisory Council - Transportation

Wees, David - Volunteer Service Award Benefit Review Board - Urban Affairs

Wessling, Tim - Volunteer Service Award Benefit Review Board - Urban Affairs

Westcott, Marvin - Game and Parks Commission - Natural Resources

Wilson, Dennis - Nebraska Transit and Rail Advisory Council - Transportation

Wolfe, Robert - Nebraska Arts Council - General Affairs

Wolford, Greg - State Highway Commission - Transportation

Wood, Steve - State Emergency Response Commission - Government, Military and Veterans Affairs

Wood, Keith - Volunteer Service Award Benefit Review Board - Urban Affairs

Wright, Greg - Nebraska Transit and Rail Advisory Council - Transportation

Yank, Lisa - Rural Health Advisory Commission - Health and Human Services

Zutavern, Bill - Beginning Farmer Board - Agriculture

Zutavern, Meredith - Nebraska Arts Council - General Affairs

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENTS

Senator Baker designates LB 1010 as his priority bill.

Senator Hilgert designates LB 907 as his priority bill.

The Natural Resources Committee designates LB 900 as its priority bill.

ATTORNEY GENERAL'S OPINION

Opinion #00003

DATE: January 5, 2000

SUBJECT: Open Enrollment for Medicare Supplemental Insurance

REQUESTED BY: Senator Merton L. Dierks, Legislative District 40

WRITTEN BY: Don Stenberg, Attorney General
Mark D. Starr, Assistant Attorney General

You have expressed an intention to offer legislation this session which would make it clear that all persons who qualify for Medicare – not merely those who qualify due to age -- also qualify for the open enrollment for Medicare Supplemental Insurance. However, you indicated concerns had been expressed about such legislation being redundant and have asked for our assistance in ensuring that the legislation avoid being labeled as unnecessarily duplicative.

The Medicare program provides payment for certain medical services for persons 65 years of age or older, disabled beneficiaries and persons with end-stage renal disease. 63 Fed. Reg. 67078 (Dec. 4, 1998). Medicare Supplemental Insurance, as the name suggests, is available to cover some of the medical expenses not covered by Medicare. In the past, state law defined such policies with reference to persons eligible for Medicare due to age. *See* Neb. Rev. Stat. § 44-3602(7) (1989 Supp.). But in 1992 the definition was changed to remove the reference to age-based eligibility. 1992 Neb. Laws LB 1006, §20.

The fact that a Medicare Supplemental Insurance product could be designed to provide coverage for persons whose eligibility for Medicare did not depend upon their age would not necessarily address things like open enrollment or guaranteed issuance of such supplemental insurance. Therefore, it cannot be said that expressly addressing such things in state law would be redundant.

The product is governed extensively by federal regulations and by standards of the National Association of Insurance Commissioners (NAIC), which, by federal law, the states must adopt. According to a Notice published by the Health Care Financing Administration which described the changes made to the Social Security Act by the Balanced Budget Act of 1997 (BBA), prior to the enactment of the BBA, Medicare beneficiaries had only one opportunity to purchase a Medigap policy on a "guaranteed issue" basis. Beneficiaries had a six month open enrollment window beginning when they were 65 years of age or older **and** enrolled in Medicare Part B. 63 Fed. Reg. 67080 (Dec. 4, 1998). The Insurance Department's regulations on Medicare Supplement Insurance tracked this language. The BBA now expands the circumstances where issuance of a policy is guaranteed. "[T]he guaranteed issue provisions in section 1882(s)(3)(B) (i) through (v) do not contain an age restriction. Therefore, the latter provisions apply by their terms both to individuals eligible for Medicare based on age, and those whose eligibility is based on disability or ESRD." 63 Fed. Reg. 67080 (Dec. 4, 1998). The Insurance Department has adopted conforming regulations.

Still, we suspect the governing laws and regulations do not provide the sort of open enrollment you envision for persons whose eligibility is not due to age. It does not appear that legislative action on the subject would be prohibited at the state level, however. "States maintain the authority to enact provisions that are more stringent than those that are incorporated in the NAIC Model Regulation or in the statutory requirements. See section 1882(b)(1)(A) of the Act." 63 Fed. Reg. 67079 (Dec. 4, 1998). According to the 1997 Medicare Handbook of the Health Care Financing Administration, "several states (Connecticut, Maine, Massachusetts, Minnesota, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Virginia, Washington, and Wisconsin) require at least a limited Medigap open enrollment period for Medicare beneficiaries under 65." *Id.* at 4. Perhaps the law of one of these states would provide a useful model. We, of course, express no opinion on the wisdom or desirability of such legislation.

Sincerely,
Don Stenberg
Attorney General
(Signed) Mark D. Starr
Assistant Attorney General

26-188-10.3

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1101. Introduced by Aguilar, 35; Baker, 44; Bromm, 23; Bruning, 3; Coordsen, 32; Dickey, 18; Jensen, 20; Jones, 43; Dw. Pedersen, 39; Price, 26; Robak, 22; Schmitt, 41; Smith, 48; Tyson, 19; Vrtiska, 1.

A BILL FOR AN ACT relating to older persons; to adopt the Nebraska Senior Companion Volunteer Program Act; and to appropriate funds.

LEGISLATIVE BILL 1102. Introduced by Aguilar, 35; Dickey, 18; Redfield, 12; Schmitt, 41.

A BILL FOR AN ACT relating to drug paraphernalia; to amend sections 28-439, 28-440, 28-441, 28-442, 28-443, and 28-444, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 1999; to state intent; to define and redefine terms; to provide and change provisions relating to criminal offenses and penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1103. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend section 17-966, Reissue Revised Statutes of Nebraska; to change the membership of medical facility boards; and to repeal the original section.

LEGISLATIVE BILL 1104. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to deferred compensation; to amend section 84-1504, Reissue Revised Statutes of Nebraska, and section 48-1401, Revised Statutes Supplement, 1999; to change provisions relating to state and county deferred compensation plans; to redefine a term; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1105. Introduced by Wickersham, 49; Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Supplement, 1999; to change provisions relating to taxation of agricultural land; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1106. Introduced by Wickersham, 49; Bohlke, 33; Dierks, 40; Raikes, 25; Schmitt, 41; Vrtiska, 1.

A BILL FOR AN ACT relating to elections; to amend section 32-912, Reissue Revised Statutes of Nebraska; to change provisions relating to partisan ballots at primary elections; and to repeal the original section.

LEGISLATIVE BILL 1107. Introduced by Wickersham, 49; Bohlke, 33; Coordsen, 32; Dierks, 40; Engel, 17; Matzke, 47; D. Pederson, 42; Raikes, 25; Schrock, 38; Stuhr, 24; Vrtiska, 1; Wehrbein, 2.

A BILL FOR AN ACT relating to school finance; to amend section 79-1008.02, Revised Statutes Supplement, 1998, and sections 77-3442 and 79-1015.01, Revised Statutes Supplement, 1999; to change the calculation of local effort rate; to adjust levy amounts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1108. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to audiologists and speech-language pathologists; to amend sections 71-1,187 and 71-1,194, Reissue Revised Statutes of Nebraska; to change provisions relating to temporary licensure; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1109. Introduced by Coordsen, 32; Dierks, 40.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to exempt purchases for grain warehouses for sales tax purposes; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1110. Introduced by Landis, 46.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-201, Reissue Revised Statutes of Nebraska; to change provisions relating to commencement and limitation of civil actions; to repeal the original section; and to declare an emergency.

MOTION - Adopt Permanent Rules

Senator Hudkins moved to adopt the permanent rules for the Ninety-Sixth Legislature, Second Session.

Senator Hudkins renewed the Rules Committee's proposed rules changes, found on page 167.

Senator Chambers requested a division of the question on the proposed rules changes.

The Chair sustained the division of the question.

The first proposed rules change is as follows:

Rule 3, Section 3

Sec. 3. Standing Committees. (a) The standing committees of the Legislature shall be as follows:

~~Transportation~~ .... ~~8 members~~
Transportation and Telecommunications .... 9 members

Senator Chambers offered the following amendment to the first proposed rules change:
"Transportation Committee" name change –
Strike "9" and insert "8"

The Chambers amendment was adopted with 32 ayes, 1 nay, 12 present and not voting, and 4 excused and not voting.

The first proposed rules change, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

The second proposed rules change is as follows:

Rule 3, Section 3

Sec. 3. Standing Committees. (a) The standing committees of the Legislature shall be as follows:

~~Agriculture~~	~~8 members~~
Agriculture, Environment and Natural Resources	9 members
Appropriations	9 members
Banking, Commerce and Insurance	~~8~~ 7 members
Business and Labor	7 members
Education	~~8~~ 9 members
General Affairs	~~8~~ 7 members
Government, Military and Veterans Affairs	~~8~~ 7 members
Health and Human Services	7 members
Judiciary	~~8~~ 7 members
~~Natural Resources~~	~~8 members~~
Nebraska Retirement Systems	6 members
Revenue	~~8~~ 9 members
Urban Affairs	7 members

(b) The Speaker shall not be a regular member of a standing committee.

Senator Chambers offered the following amendment to the second proposed rules change:

Rule 3, Sec 3

1. Strike and show as stricken:

"Appropriations 9 Members" and "Revenue 9 Members" and insert "Appropriations and Revenue 15 Members"

Senators Bohlke and Kremer asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR CUDABACK PRESIDING

PRESIDENT MAURSTAD PRESIDING

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1111. Introduced by Landis, 46.

A BILL FOR AN ACT relating to secured transactions; to adopt the Nebraska Governmental Unit Security Interest Act; and to provide an operative date.

LEGISLATIVE BILL 1112. Introduced by Schrock, 38; Bromm, 23; Bruning, 3; Hudkins, 21; Jones, 43; Kremer, 34; Preister, 5; Stuhr, 24.

A BILL FOR AN ACT relating to water wells; to amend sections 46-602.01, 46-604, 46-637, 46-656.07, 46-656.25, 46-656.31, 46-1204.01, 46-1227, 46-1229, 46-1233, 46-1238, 46-1239, and 46-1241, Reissue Revised Statutes of Nebraska, and sections 46-606 and 46-1224, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to registration; to provide a penalty; to eliminate a report and a signature requirement; to harmonize provisions; to repeal the original sections; and to outright repeal section 46-602, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1113. Introduced by Lynch, 13; Robak, 22.

A BILL FOR AN ACT relating to behavioral health services; to state intent; and to provide duties.

LEGISLATIVE BILL 1114. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,142.03, Reissue Revised Statutes of Nebraska; to change procedures for adoption of a local option sales tax; and to repeal the original section.

LEGISLATIVE BILL 1115. Introduced by Health and Human Services Committee: Jensen, 20, Chairperson; Byars, 30; Dickey, 18; Price, 26; Suttle, 10; Thompson, 14; Tyson, 19.

A BILL FOR AN ACT relating to health and human services; to amend sections 18-1738, 37-1254.06, 48-1903, 60-4,164.01, 60-6,201, 60-6,202, 60-6,204, 68-1050, 71-1,132.07, 71-1,132.08, 71-1,143, 71-1,147.01, 71-1,160, 71-1704 to 71-1708, 71-1709.01 to 71-1710, 71-1712, 71-1714, 71-1716 to 71-1716.03, 71-1716.05, 71-1717, 71-1718.01, 71-1718.02, 71-1721, 71-1721.07, 71-1723 to 71-1727, 71-4401, 71-5303, 71-5306, and 79-221, Reissue Revised Statutes of Nebraska, sections 68-1021, 71-168.02, 71-1,147.57, 71-1,147.58, 71-1,198, 71-1,339, 71-541, 71-1722, 71-2610.01, 71-3505, 71-5191, 71-5662, 71-5663, 71-5665, 71-5668, 71-8207, and 79-214, Revised Statutes Supplement, 1998, and sections 28-405, 44-2847, 71-168, 71-1,103, 71-1,132.11, 71-1735, 71-1913.01, and 71-3507, Revised Statutes Supplement, 1999; to change provisions relating to advanced registered nurse practitioners, schedules of controlled substances, medical review panels, medical assistance, managed care, veterinarians, radiography, rabies vaccination and control, and public water supply regulation; to repeal the Clinical Laboratories Certification Act and a prohibition on gifts as prescribed; to harmonize provisions; to repeal the original sections; to outright repeal sections 71-6802 to 71-6815.01, 71-6817 to 71-6831, and 83-120, Reissue Revised Statutes of Nebraska, and sections 71-6801 and 71-6816, Revised Statutes Supplement, 1998; and to declare an emergency.

LEGISLATIVE BILL 1116. Introduced by Schimek, 27; Beutler, 28; Landis, 46; Price, 26; Raikes, 25.

A BILL FOR AN ACT relating to cities of the primary class; to amend sections 3-503, 3-706, 13-316, 13-510, 13-918, 15-1026, and 18-2716, Reissue Revised Statutes of Nebraska, section 77-3523, Revised Statutes Supplement, 1998, and sections 13-503 and 13-511, Revised Statutes Supplement, 1999; to provide for biennial budgeting; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1117. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to political subdivisions; to eliminate the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act; to outright repeal sections 13-2601 to 13-2612 and 13-2701 to 13-2710, Revised Statutes Supplement, 1999; and to declare an emergency.

LEGISLATIVE BILL 1118. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 23-3406, 24-1106, 25-1140.09, 27-609, 28-104, 28-202, 28-303, 29-742, 29-744, 29-1822, 29-2005, 29-2006, 29-2020, 29-2282, 29-2407, 29-2801, 29-3205, 29-3920, 29-3928, 29-3929, 29-3930, and 55-480, Reissue Revised Statutes of Nebraska, sections 28-105 and 28-201, Revised

Statutes Supplement, 1998, and section 27-803, Revised Statutes Supplement, 1999; to change a penalty from death to maximum of life imprisonment without possibility of parole; to change conspiracy provisions; to provide for restitution and standards for sentencing; to harmonize provisions; to eliminate capital punishment provisions; to repeal the original sections; and to outright repeal sections 24-1105, 29-2519 to 29-2522, 29-2524 to 29-2525, 29-2527, 29-2528, 29-2532 to 29-2546, 29-2811, and 83-1,132, Reissue Revised Statutes of Nebraska, and sections 28-105.01 and 29-2523, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 1119. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3,153, 44-2909, and 48-446, Reissue Revised Statutes of Nebraska, and sections 44-522 and 48-151, Revised Statutes Supplement, 1999; to adopt the Property and Casualty Insurance Rate and Form Act; to eliminate the Property and Casualty Insurance Data Reporting Act and the Property and Casualty Insurance Rate and Form Act; to harmonize provisions; to provide severability; to provide operative dates; to repeal the original sections; and to outright repeal sections 44-4601 to 44-4607, 44-5001 to 44-5019, and 44-5021 to 44-5039, Reissue Revised Statutes of Nebraska, and section 44-5020, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1120. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to home inspections; to adopt the Home Inspection Professional Licensing Act.

LEGISLATIVE BILL 1121. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to insurance; to amend sections 44-5223, 44-5225, 44-5246.02, 44-6901, and 44-6915, Reissue Revised Statutes of Nebraska; to define and redefine terms relating to enrollment dates, preexisting conditions, and waiting periods; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1122. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-2501, Reissue Revised Statutes of Nebraska; to change provisions relating to eminent domain; to provide an exemption for certain sanitary and improvement districts; and to repeal the original section.

LEGISLATIVE BILL 1123. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Chambers, 11; Dierks, 40; Hilgert, 7;

Preister, 5; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to labor; to amend sections 48-302.01, 48-310, and 48-446, Reissue Revised Statutes of Nebraska, and section 48-303, Revised Statutes Supplement, 1999; to change provisions relating to worker safety programs; and to repeal the original sections.

LEGISLATIVE BILL 1124. Introduced by Coordsen, 32; Baker, 44; Bromm, 23; Byars, 30; Connealy, 16; Cudaback, 36; Dierks, 40; Engel, 17; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Matzke, 47; Raikes, 25; Robak, 22; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Vrtiska, 1; Wehrbein, 2.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1371, Reissue Revised Statutes of Nebraska, sections 77-112, 77-201, 77-1344, 77-1359, 77-1361, and 77-1362, Revised Statutes Supplement, 1998; to state intent; to change and eliminate provisions relating to valuation of agricultural land and horticultural land; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 77-1360.01, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 1125. Introduced by Banking, Commerce and Insurance Committee: Landis, 46, Chairperson; Aguilar, 35; Bourne, 8; Bruning, 3; Jensen, 20; Kremer, 34; Schmitt, 41; Tyson, 19.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-821 and 8-822, Reissue Revised Statutes of Nebraska; to change provisions relating to personal loans; and to repeal the original sections.

LEGISLATIVE BILL 1126. Introduced by Janssen, 15; Hartnett, 45; Lynch, 13; Quandahl, 31; Schimek, 27; Vrtiska, 1.

A BILL FOR AN ACT relating to local governments; to amend section 13-2203, Reissue Revised Statutes of Nebraska; to authorize expenditures for funeral memorials; and to repeal the original section.

LEGISLATIVE BILL 1127. Introduced by Landis, 46; Preister, 5.

A BILL FOR AN ACT relating to insurance; to amend section 44-5019, Reissue Revised Statutes of Nebraska; to prohibit actions based upon credit history; and to repeal the original section.

LEGISLATIVE BILL 1128. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to bonds; to amend sections 2-117, 10-106, 10-107, 10-110, 10-117, 10-119, 10-122, 10-126, 10-128, 10-132, 10-140, 10-201 to 10-202, 10-410, 10-707, 13-1103, 14-1717, 17-968, 23-389, 23-3561, 23-3563, 23-35,116, 31-342, 31-531, 31-759, 39-841, 39-1632, 39-2207, 46-1,106, 46-270, and 85-1522, Reissue Revised Statutes of Nebraska, and section 77-2387, Revised Statutes Supplement, 1998; to change and eliminate provisions relating to registration of bonds and powers and duties of the Auditor of Public Accounts; to harmonize provisions; to repeal the original sections; and to outright repeal sections 10-108, 10-109, 10-118, 10-118.01, 10-121, 18-2132, 23-3562, 23-3564, 31-341, and 31-446, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1129. Introduced by Robak, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 14-1702, 14-1726, 18-1709, 35-107, 60-465, 60-610, 60-6,114, 60-6,119, 60-6,138, 60-6,141, 60-6,144, 60-6,151, 60-6,160, 60-6,193, 60-6,229, 60-6,231, 60-6,233, 60-6,250, 60-6,267, 60-6,285, and 60-6,364, Reissue Revised Statutes of Nebraska, and sections 71-5187 and 71-5191, Revised Statutes Supplement, 1998; to authorize bicycles to be emergency units; to require training as prescribed; to redefine a term; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1130. Introduced by Tyson, 19; Smith, 48; Wehrbein, 2.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-180.02, 53-180.04, and 53-180.05, Reissue Revised Statutes of Nebraska; to change provisions relating to minors' violations; to change provisions relating to license suspension for illegal sales; to provide for compliance checks; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1131. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to municipal improvements; to amend section 19-2402, Reissue Revised Statutes of Nebraska; to change provisions relating to municipal water and sanitary sewer service extension district limits; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1132. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 19-3315, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-3443, Revised Statutes Supplement, 1999; to authorize a property tax levy for offstreet parking districts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1133. Introduced by Tyson, 19; Baker, 44; Bruning, 3; Dierks, 40; Hudkins, 21; Jensen, 20; Jones, 43; Dw. Pedersen, 39;

Quandahl, 31; Redfield, 12; Schmitt, 41; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-1202, Reissue Revised Statutes of Nebraska; to eliminate the offense of carrying a concealed weapon; to create the offense of carrying a weapon with unlawful intent; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 1134. Introduced by Tyson, 19; Crosby, 29; Smith, 48; Wehrbein, 2.

A BILL FOR AN ACT relating to libraries; to amend section 77-3442, Revised Statutes Supplement, 1999; to authorize issuance of bonds for technology equipment and services; to provide an exemption from levy limitations; and to repeal the original section.

LEGISLATIVE BILL 1135. Introduced by Government, Military and Veterans Affairs Committee: Schimek, 27, Chairperson; Aguilar, 35; Cudaback, 36; Janssen, 15; Quandahl, 31; Schmitt, 41; Smith, 48; Vrtiska, 1; and Kremer, 34.

A BILL FOR AN ACT relating to state government; to amend sections 2-5103, 10-127, 13-203, 13-206, 13-207, 21-2102, 21-2104, 21-2109, 39-1110, 39-2201, 44-2814, 44-2827, 44-2829, 44-2832, 44-2835, 44-5261, 44-5263, 46-656.05, 46-656.60, 48-622.01, 48-622.03, 48-649, 58-703, 58-709, 66-1337, 71-1,313, 71-1902, 71-1904, 71-1905, 71-4903, 71-5001 to 71-5003, 71-5007, 71-5008, 71-5009, 71-5014, 71-5015, 71-5021, 71-5022, 71-5025, 71-5032, 71-5033, 71-5034, 71-5040, 71-6803, 71-6806, 71-6807, 71-6810, 71-6819, 71-6830, 71-7102, 79-1312, 81-177, 81-823, 81-1609, 81-1611, 81-1612, 81-1616, 83-162.04, 85-167, 85-169, 85-170, 85-171, 85-1002, 85-1005, and 86-1301, Reissue Revised Statutes of Nebraska, sections 20-139, 66-4,144, 71-155.01, 71-1,147.41, 71-1,147.48, 71-1,147.55, 71-1,329, 71-1901, 71-1903, 71-5027, 71-7106, 71-7107, 71-7108, 71-7109, 71-7110, 71-8244, and 81-5,147, Revised Statutes Supplement, 1998, and sections 18-2147.01, 71-1,144.01, 71-1,144.04, 71-5009.01, and 79-1110, Revised Statutes Supplement, 1999; to eliminate certain boards, committees, commissions, authorities, councils, and task forces; to change and provide powers and duties; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-4902, 2-5104, 2-5105, 9-1,102, 39-2202, 39-2220, 44-2812, 44-2815, 44-2837, 44-2838, 44-2839, 44-5231, 46-656.61, 48-610, 58-401 to 58-442, 58-704, 71-1,144.02, 71-4902, 71-5004, 71-5005, 71-5006, 71-6804, 71-6829, 72-720, 72-721, 72-722, 77-2704.18, 77-5101, 77-5103, 77-5104, 79-1326, 79-1502, 81-5,150, 81-818, 81-820, 81-821, 81-822, 81-1120.33, 81-1120.34, 81-1610, 85-166, 85-1008, 86-1307, and 90-405, Reissue Revised Statutes of Nebraska, sections 68-1037.06, 71-1,147.59, 71-1,147.60, 71-5054, 71-7105, 71-8251, 71-8252, 72-2001 to 72-2004, 77-5102, 77-5105, 79-1183.01, 79-1327, and 81-5,149, Revised Statutes Supplement, 1998, and sections 43-2610 and 71-1906.02, Revised Statutes Supplement, 1999, are repealed.

LEGISLATIVE BILL 1136. Introduced by Bromm, 23; Baker, 44; Crosby, 29; Dierks, 40; Hartnett, 45; Kremer, 34; Lynch, 13; Dw. Pedersen, 39; Preister, 5; Redfield, 12; Tyson, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908 and 77-3806, Reissue Revised Statutes of Nebraska, section 77-2734.03, Revised Statutes Supplement, 1998, and section 77-2715.07, Revised Statutes Supplement, 1999; to adopt the Elementary and Secondary Scholarship Assistance Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

LEGISLATIVE BILL 1137. Introduced by Bromm, 23; Bohlke, 33; Dierks, 40; Engel, 17; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Preister, 5; Stuhr, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-4104.01 and 77-4107, Reissue Revised Statutes of Nebraska, and section 77-4112, Revised Statutes Supplement, 1999; to require compliance with environmental laws, rules, and regulations as a requirement for certain tax incentives; to harmonize provisions; to provide for applicability of changes; and to repeal the original sections.

LEGISLATIVE BILL 1138. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 46-656.17, 77-27,136, 77-27,137.01, 77-27,137.02, 77-27,139, 77-27,139.04, 81-15,158, and 83-380, Reissue Revised Statutes of Nebraska, sections 71-5326, 77-3,119, 77-27,137, 77-27,139.02, 77-27,139.03, and 77-27,144, Revised Statutes Supplement, 1998, and sections 13-518, 77-913, 77-1704.01, and 77-3618, Revised Statutes Supplement, 1999; to change provisions relating to state aid to political subdivisions; to eliminate obsolete provisions and a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-27,138.01 and 77-27,139.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1139. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to education; to adopt the Nebraska Read, Educate, and Develop Youth Act; and to create a fund.

LEGISLATIVE BILL 1140. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to licensed practical nurses; to amend sections 71-1775 to 71-1777, 71-1780, 71-1781, and 71-1784, Reissue

Revised Statutes of Nebraska, section 71-1778, Revised Statutes Supplement, 1998, and section 71-1774, Revised Statutes Supplement, 1999; to change provisions relating to delegation and supervision of certain responsibilities and requirements for certification; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1141. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to the Nebraska Cosmetology Act; to amend sections 71-340, 71-3,106, and 71-3,224, Revised Statutes Supplement, 1999; to define terms; to provide and change provisions relating to licensure exemptions; to change provisions relating to nail technology schools; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1142. Introduced by Robak, 22; Kiel, 9; Suttle, 10.

A BILL FOR AN ACT relating to insurance; to provide liability for damages caused by health care treatment decisions as prescribed; and to provide an operative date.

LEGISLATIVE BILL 1143. Introduced by Schmitt, 41; Beutler, 28; Bruning, 3; Cudaback, 36; Janssen, 15; Jones, 43; Quandahl, 31; Raikes, 25; Schimek, 27; Smith, 48; Stuhr, 24; Tyson, 19.

A BILL FOR AN ACT relating to archaeological resources preservation; to adopt the Nebraska Archaeological Resources Preservation Act; and to provide penalties.

LEGISLATIVE BILL 1144. Introduced by Byars, 30.

A BILL FOR AN ACT relating to optometrists; to amend sections 71-161.10 and 71-1,136.01, Revised Statutes Supplement, 1999; to change provisions relating to continuing education; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1145. Introduced by Landis, 46.

A BILL FOR AN ACT relating to bonds; to amend section 10-126, Reissue Revised Statutes of Nebraska; to change provisions relating to the redemption of certain school bonds; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1146. Introduced by Baker, 44; Connealy, 16; Coordsen, 32; Jones, 43; Kremer, 34.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-625, 60-6,133, 60-6,288, 60-6,290, 60-6,298, and 60-6,301, Reissue Revised Statutes of Nebraska, and section 60-4,146.01, Revised Statutes Supplement, 1999; to redefine a term; to change weight and length provisions; to provide an overload exception; to eliminate a special permit; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1147. Introduced by Dw. Pedersen, 39; Beutler, 28; Preister, 5.

A BILL FOR AN ACT relating to license plates; to provide for Nebraska Natural Heritage License Plates; to provide powers and duties for the Department of Motor Vehicles and the Game and Parks Commission; and to provide fees.

LEGISLATIVE BILL 1148. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to installment loan licenses; to amend section 45-116, Reissue Revised Statutes of Nebraska; to authorize the securitization of loans by affiliates of licensees as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1149. Introduced by Brashear, 4; Beutler, 28; Bohlke, 33; Bourne, 8; Brown, 6; Bruning, 3; Crosby, 29; Engel, 17; Hartnett, 45; Hilgert, 7; Hudkins, 21; Janssen, 15; Jensen, 20; Kiel, 9; Kristensen, 37; Lynch, 13; Dw. Pedersen, 39; D. Pederson, 42; Quandahl, 31; Redfield, 12; Thompson, 14; Vrtiska, 1; Wehrbein, 2.

A BILL FOR AN ACT relating to the Quality Jobs Act; to amend section 77-4901, Revised Statutes Supplement, 1998; to eliminate a limitation on applications; to harmonize provisions; to repeal the original section; to outright repeal section 77-4935, Revised Statutes Supplement, 1998; and to declare an emergency.

LEGISLATIVE BILL 1150. Introduced by Janssen, 15; Baker, 44; Schrock, 38.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-812, Revised Statutes Supplement, 1999; to change provisions relating to transfers of funds, lottery game retailer compensation, and expense reports; to provide duties; and to repeal the original section.

LEGISLATIVE BILL 1151. Introduced by Bromm, 23; Dickey, 18; Hudkins, 21; Janssen, 15; Kremer, 34.

A BILL FOR AN ACT relating to appropriations; to state intent; to appropriate funds for critical erosion or water quality areas.

RESOLUTIONS

LEGISLATIVE RESOLUTION 289CA. Introduced by Schimek, 27; Janssen, 15; Bohlke, 33; Bourne, 8; Connealy, 16; Cudaback, 36; Hilgert, 7;

Lynch, 13; Robak, 22; Schmitt, 41.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 24:

III-24 "(1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for other purposes as directed by the Legislature. No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

(5) Nothing in the statutes or Constitution of Nebraska shall be construed to prohibit or restrict gaming operated by a federally recognized Indian tribe in Nebraska on lands within the limits of the tribe's Indian reservation recognized as of October 1988 and over which the tribe has jurisdiction when such gaming is conducted in accordance with federal law.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to permit gaming on Indian lands.

For

Against".

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 290. Introduced by Connealy, 16.

WHEREAS, skillful, enthusiastic, and innovative teachers change the lives of countless students for the better and forever by encouraging curiosity and understanding and by contributing to the development of mind and spirit; and

WHEREAS, the United States Professors of the Year program, sponsored by The Carnegie Foundation for the Advancement of Teaching and administered by the Council for Advancement and Support of Education, is the nation's most highly respected program to recognize outstanding faculty; and

WHEREAS, the Nebraska Professor of the Year represents the thousands of dedicated university and college instructors throughout Nebraska who serve their students, their community, and their state with dedication and talent; and

WHEREAS, the State of Nebraska has long supported excellence in undergraduate teaching through competitively funding faculty salaries and through other initiatives to make our system of higher education the envy of many states and other nations; and

WHEREAS, the quality of life and the scope of opportunity for many future citizens of Nebraska will be determined by the quality of teaching in the classroom.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Legislature recognizes and commends Dr. John Mark Nielsen, professor of English at Dana College, upon being named the 1999 Nebraska Professor of the Year.

Laid over.

LEGISLATIVE RESOLUTION 291CA. Introduced by Brashear, 4; Beutler, 28; Bourne, 8; Bromm, 23; Bruning, 3; Hilgert, 7; Landis, 46; Matzke, 47; D. Pederson, 42; Quandahl, 31; Wickersham, 49.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 19:

III-19 "The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement.

The ~~, nor shall the~~ compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office, except that~~,~~ when there are members elected or appointed to the Legislature or the judiciary, or officers elected or appointed to a ~~court,~~ board~~,~~ or commission having more than one member, and the terms of ~~one or more~~ such members commence and end at different times, the compensation of all members of the Legislature, of the judiciary, or of such ~~court,~~ board~~,~~ or commission may be increased or diminished at the beginning of the full term of any member thereof.

Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system, shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3 of the Constitution of Nebraska.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to change the effective date of compensation changes for the judiciary.
For
Against".

Referred to the Reference Committee.

LEGISLATIVE RESOLUTION 292. Introduced by Kristensen, 37.

WHEREAS, Robert B. Crosby was born on March 26, 1911, in North Platte, Nebraska. He earned his undergraduate degree at the University of Minnesota and his law degree in 1935 at Harvard University; and

WHEREAS, Bob Crosby was elected to the Nebraska Legislature in 1941 and 1943, and in 1943 became Speaker of the Legislature. He volunteered for the United States Navy in 1944 during World War II and served in the Navy's legal department. He was elected Lieutenant Governor from 1947 to 1949; and

WHEREAS, Bob Crosby was elected Governor and served a two-year term from 1953 to 1955. During his term as Governor he improved the state highway system, sought to reform the personal property tax, and appointed two United States Senators, Eva Bowring and Sam Reynolds. Bob campaigned for the office of United States Senator in 1954; and

WHEREAS, Bob Crosby practiced law in Nebraska for 63 years, while still remaining active in politics. His legal interests included natural resources and water rights, and he continued to promote and improve the state highway system; and

WHEREAS, Bob Crosby married LaVon Stuart on May 22, 1971. Their many interests together included music, theater, travel, and their faith, and especially being with each other and with their children and grandchildren. Bob was also a lifelong tennis player. Bob wholeheartedly supported LaVon's work in the Nebraska Legislature, becoming, as LaVon said, "The best little sign-pounder I had!"; and

WHEREAS, Bob Crosby, while active in his law practice, was also active in his community and church, including the Lincoln Senior Center, the Heart Fund, and the Cathedral of the Risen Christ, as well as others; and

WHEREAS, Bob Crosby was a landmark politician in Nebraska, and believed in and practiced politics at its highest level, demonstrating character, integrity, and honesty. And for those who knew Bob personally, he was kind, considerate, and always cheerful; and

WHEREAS, Bob Crosby died January 7, 2000; and

WHEREAS, Bob Crosby is survived by his wife, LaVon, children Robert and Susan, step-children Mary, Fred, Tim, and Mike, and by grandchildren and great grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the people of the State of Nebraska appreciate Bob Crosby's decades of public service, and send their condolences to LaVon Crosby and family.
2. That a copy of this resolution be sent to State Senator LaVon Crosby.

Laid over.

UNANIMOUS CONSENT - Add Cointroducers

Senator Stuhr asked unanimous consent to have her name added as cointroducer to LB 1100. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 899 and LB 987. No objections. So ordered.

Senator D. Pederson asked unanimous consent to have his name added as cointroducer to LB 956 and LB 993. No objections. So ordered.

Senator Beutler asked unanimous consent to have his name added as cointroducer to LB 1098. No objections. So ordered.

RECESS

At 12:01 p.m., on a motion by Senator Smith, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Crosby, Suttle, and Wickersham who were excused; and Senators Bohlke, Brown, Jones, Kiel, Matzke, D. Pederson, Price, and Robak who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills and resolution:

LB/LR	**Committee**
LB 988	Education
LB 989	Judiciary
LB 990	Revenue
LB 991	Transportation
LB 992	Natural Resources
LB 993	Judiciary
LB 994	Judiciary
LB 995	Health and Human Services
LB 996	Education
LB 997	Transportation
LB 998	Judiciary
LB 999	Natural Resources
LB 1000	Natural Resources
LB 1001	Education
LB 1002	Transportation
LB 1003	Education
LB 1004	Transportation
LB 1005	Health and Human Services
LB 1006	Revenue
LB 1007	Business and Labor
LB 1008	Judiciary
LB 1009	Agriculture
LB 1010	Education

LB 1011	Appropriations
LB 1012	Transportation
LB 1013	Judiciary
LB 1014	Revenue
LB 1015	Revenue
LB 1016	Transportation
LB 1017	Revenue
LB 1018	Transportation
LB 1019	Transportation
LB 1020	Transportation
LB 1021	Government, Military and Veterans Affairs
LB 1022	Health and Human Services
LB 1023	Health and Human Services
LB 1024	Revenue
LB 1025	Health and Human Services
LB 1026	Transportation
LB 1027	Transportation
LB 1028	Health and Human Services
LB 1029	Health and Human Services
LB 1030	Judiciary
LB 1031	Revenue
LB 1032	Transportation
LB 1033	Health and Human Services
LB 1034	General Affairs
LB 1035	Judiciary
LB 1036	Revenue
LB 1037	Judiciary
LB 1038	Banking, Commerce and Insurance
LB 1039	Revenue
LB 1040	Natural Resources
LB 1041	Revenue
LB 1042	Revenue
LB 1043	Revenue
LB 1044	Revenue
LB 1045	Revenue
LB 1046	Revenue
LB 1047	Revenue
LB 1048	Revenue
LB 1049	Revenue
LB 1050	Transportation
LB 1051	Health and Human Services
LB 1052	Agriculture
LB 1053	Natural Resources
LB 1054	Education
LB 1055	Revenue
LB 1056	Education
LB 1057	Revenue
LB 1058	Education
LB 1059	Judiciary

LB 1060	Banking, Commerce and Insurance
LB 1061	Revenue
LB 1062	Banking, Commerce and Insurance
LB 1063	Revenue
LB 1064	Appropriations
LB 1065	Transportation
LB 1066	Revenue
LR 287CA	Executive Board

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARING
Transportation

LB 906	Tuesday, January 18, 2000	1:30 p.m.
LB 910	Tuesday, January 18, 2000	1:30 p.m.
LB 951	Tuesday, January 18, 2000	1:30 p.m.
LB 969	Tuesday, January 18, 2000	1:30 p.m.
LB 970	Tuesday, January 18, 2000	1:30 p.m.

(Signed) Curt Bromm, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1152. Introduced by Beutler, 28; Preister, 5.

A BILL FOR AN ACT relating to game and parks; to create the Nebraska Game and Parks Millennium Trust Fund and the Nebraska Game and Parks Millennium Cash Fund; to create a board; to state intent; to provide powers and duties; and to appropriate funds.

LEGISLATIVE BILL 1153. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to the Excellence in Health Care Trust Fund; to amend section 71-7614, Revised Statutes Supplement, 1999; to change provisions relating to use of the fund; and to repeal the original section.

LEGISLATIVE BILL 1154. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to railroad transportation safety districts; to amend section 74-1307, Reissue Revised Statutes of Nebraska; to change provisions relating to the issuance of bonds; and to repeal the original section.

MOTION - Adopt Permanent Rules

The Chambers pending amendment, found on page 190, to the second proposed rules change, found on page 190, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 0 nays, and 37 not voting.

The Chambers amendment lost with 4 ayes, 31 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the second proposed rules change:

Rule 3, Sec. 3

Strike and show as stricken: All new and existing matter and insert: "Agriculture and Rural Affairs 24 Members" and "Urban Affairs 24 Members"

Senators Brashear, Connealy, and Wehrbein asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers requested a record vote on his amendment.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 25:

Aguilar	Beutler	Bromm	Brown	Bruning
Byars	Coordsen	Cudaback	Dickey	Engel
Hilgert	Hudkins	Jones	Kremer	Kristensen
Matzke	Pedersen, Dw.	Pederson, D.	Price	Quandahl
Raikes	Redfield	Stuhr	Thompson	Vrtiska

Present and not voting, 15:

Baker	Bohlke	Bourne	Dierks	Hartnett
Janssen	Jensen	Kiel	Lynch	Preister
Robak	Schimek	Schmitt	Schrock	Smith

Excused and not voting, 8:

Brashear Connealy Crosby Landis Suttle
Tyson Wehrbein Wickersham

The Chambers amendment lost with 1 aye, 25 nays, 15 present and not voting, and 8 excused and not voting.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1155. Introduced by Wehrbein, 2; Cudaback, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2734.07, Reissue Revised Statutes of Nebraska; to change provisions relating to corporate losses; and to repeal the original section.

LEGISLATIVE BILL 1156. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to volunteer fire companies; to amend section 35-108, Reissue Revised Statutes of Nebraska; to change provisions relating to group term life insurance; and to repeal the original section.

LEGISLATIVE BILL 1157. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to elections; to amend sections 19-405 and 32-606, Revised Statutes Supplement, 1999; to change filing deadlines for candidates for city council in certain cities; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1158. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to counties; to amend section 23-114, Revised Statutes Supplement, 1999; to require zoning resolutions; and to repeal the original section.

LEGISLATIVE BILL 1159. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to cities and villages; to amend sections 17-107 and 17-208, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment of officers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1160. Introduced by Bruning, 3; Quandahl, 31; at the request of the Governor.

A BILL FOR AN ACT relating to economic development; to adopt the Mentoring Act.

LEGISLATIVE BILL 1161. Introduced by Bohlke, 33; Dierks, 40; Schrock, 38.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1010 and 79-1072.04, Revised Statutes Supplement, 1999; to change provisions relating to incentive payments and transfers to a fund as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1162. Introduced by Quandahl, 31; Bruning, 3; at the request of the Governor.

A BILL FOR AN ACT relating to economic development; to adopt the School-to-Career Act.

LEGISLATIVE BILL 1163. Introduced by Thompson, 14; Beutler, 28; Bohlke, 33; Bourne, 8; Brashear, 4; Byars, 30; Connealy, 16; Coordsen, 32; Hartnett, 45; Jensen, 20; Kiel, 9; Lynch, 13; Matzke, 47; Dw. Pedersen, 39; Preister, 5; Price, 26; Raikes, 25; Schimek, 27; Schmitt, 41.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney as prescribed; to appropriate funds for a multipurpose building, parole revocation facility, housing, renovations, and site improvements; and to declare an emergency.

LEGISLATIVE BILL 1164. Introduced by Thompson, 14; Dw. Pedersen, 39; Price, 26.

A BILL FOR AN ACT relating to the Juvenile Services Act; to amend sections 43-2401 to 43-2406, 43-2408, 43-2409, and 43-2411 to 43-2413, Reissue Revised Statutes of Nebraska; to eliminate a committee and coordinator; to create a coalition and coordinator; to change and eliminate grant provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 43-2407, 43-2410, and 43-2414, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1165. Introduced by Thompson, 14; Jensen, 20; Price, 26; Robak, 22; Suttle, 10.

A BILL FOR AN ACT relating to juvenile services; to amend sections 33-106.03, 43-2401, and 43-2406, Reissue Revised Statutes of Nebraska; to create a fund; to increase a court fee; to change provisions relating to funding of grants; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1166. Introduced by Thompson, 14; Jensen, 20; Price, 26; Suttle, 10.

A BILL FOR AN ACT relating to juvenile services; to amend sections 29-2246 and 33-124, Reissue Revised Statutes of Nebraska; to create a fund; to change court fees; to harmonize sections; to provide duties for the Office of Probation Administration, the Office of Juvenile Services, and the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1167. Introduced by Thompson, 14; Jensen, 20; Dw. Pedersen, 39; Price, 26.

A BILL FOR AN ACT relating to juveniles; to create the Juvenile Detention and Probation Services Implementation Team; to provide duties; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 1168. Introduced by Kiel, 9; Baker, 44; Bourne, 8; Connealy, 16; Dierks, 40; Janssen, 15; Lynch, 13; Matzke, 47; D. Pederson, 42; Quandahl, 31; Redfield, 12; Robak, 22; Schimek, 27; Stuhr, 24.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1999; to provide a tax credit for fees related to Small Business Administration loans; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1169. Introduced by Bohlke, 33; Coordsen, 32; Stuhr, 24; Vrtiska, 1.

A BILL FOR AN ACT relating to school finance; to create a task force; to provide duties; and to provide for termination.

RESOLUTION

LEGISLATIVE RESOLUTION 293CA. Introduced by Wehrbein, 2; Vrtiska, 1.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 2:

VIII-2 "Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 1 or 4, of this Constitution or any other provision of this Constitution to the contrary: (1) The property of the state and its governmental subdivisions shall constitute a separate class of property and shall be exempt from taxation to the extent such property is used by the state or governmental subdivision for public purposes authorized to the state or governmental subdivision by this Constitution or the Legislature. To the extent such property is not used for the authorized public purposes, the Legislature may classify such property, exempt such classes, and impose or authorize some or all of such property to be subject to property taxes or payments in lieu of property taxes except as provided by law; (2) the Legislature by general law may classify and exempt from taxation property owned by and used exclusively for agricultural and horticultural societies and property owned and used exclusively for educational, religious, charitable, or cemetery purposes, when such property (a) is not owned or used for financial gain or profit to either the owner or user or (b) is owned for purposes of rehabilitating the property for sale; (3) household goods and personal effects, as defined by law, may be exempted from taxation in whole or in part, as may be provided by general law, and the Legislature may prescribe a formula for the determination of value of household goods and personal effects; (4) the Legislature by general law may provide that the increased value of land by reason of shade or ornamental trees planted along the highway shall not be taken into account in the assessment of such land; (5) the Legislature, by general law and upon any terms, conditions, and restrictions it prescribes, may provide that the increased value of real property resulting from improvements designed primarily for energy conservation may be exempt from taxation; (6) the value of a home substantially contributed by the United States Department of Veterans Affairs for a paraplegic veteran or multiple amputee shall be exempt from taxation during the life of such veteran or until the death or remarriage of his or her surviving spouse; (7) the Legislature may exempt from an intangible property tax life insurance and life insurance annuity contracts and any payment connected therewith and any right to pension or retirement payments; (8) the Legislature may exempt inventory from taxation; (9) the Legislature may define and classify personal property in such manner as it sees fit, whether by type, use, user, or owner, and may exempt any such class or classes of property from taxation if such exemption is reasonable or may exempt all personal property from taxation; (10) no property shall be exempt from taxation except as permitted by or as provided in this Constitution; and (11) the Legislature may by general law provide that a portion of the value of any residence actually occupied as a homestead by any classification of owners as determined by the Legislature shall be exempt from taxation.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to authorize exemption of certain property owned for rehabilitation purposes.
For
Against".

Referred to the Reference Committee.

AMENDMENTS - Print in Journal

Senator Bohlke filed the following amendment to LB 812:
AM2015
(Amendments to Standing Committee amendments, AM0879)

1. Strike amendment 3 and renumber the remaining amendments accordingly.

Senator Schimek filed the following amendment to LB 729:
AM2005

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 32-1405, Reissue Revised Statutes of Nebraska, is amended to read:

32-1405. (1) Prior to obtaining any signatures on an initiative or referendum petition, a statement of the object of the petition and the text of the measure shall be filed with the Secretary of State together with a sworn statement containing the names and street addresses of every person, corporation, or association sponsoring the petition.

(2) Upon receipt of the filing, the Secretary of State shall transmit the text of the proposed measure to the Revisor of Statutes. The Revisor of Statutes shall review the proposed measure and suggest changes as to form and draftmanship. The revisor shall complete the review within ten days after receipt from the Secretary of State. The Secretary of State shall provide the results of the review and suggested changes to the sponsor but shall otherwise keep them confidential for five days after receipt by the sponsor. The Secretary of State shall then maintain the opinion as public information and as a part of the official record of the initiative. The suggested changes may be accepted or rejected by the sponsor.

(3) The Secretary of State shall prepare five camera-ready copies of the petition from the information filed by the sponsor and any changes accepted by the sponsor and shall provide the copies to the sponsor within five days after receipt of the review required in subsection (2) of this section. The sponsor shall print the petitions to be circulated from the forms provided.

(4) If the Secretary of State refuses to accept for filing any initiative or referendum petition, any resident may apply, within ten days after such refusal, to the district court of Lancaster County for a writ of mandamus. If it is decided by the court that such petition is legally sufficient, the Secretary of State shall accept the petition for filing.

(5) If the Secretary of State accepts for filing any initiative or referendum petition pursuant to this section, any resident may apply to the district court of Lancaster County for an order enjoining the Secretary of State and all other officers from performing any of the other acts described in sections 32-1401 to 32-1416. If such a suit is filed, the person who is the sponsor of record of the petition shall be a necessary party defendant in such suit. If it is decided by the court that such petition is not legally sufficient, the court shall enter an order enjoining the Secretary of State and all other officers from performing any of

the acts described in sections 32-1401 to 32-1416.

(6) For purposes of this section, not legally sufficient means that an initiative or referendum petition (a) interferes with the legislative prerogative contained in the Constitution of Nebraska that the necessary revenue of the state and its governmental subdivisions shall be raised by taxation in the manner as the Legislature may direct, (b) does not comply with sections 32-1401 to 32-1416, (c) would violate the Constitution of the United States, (d) would violate the laws of the United States, or (e) fails to substantially comply with the procedural limitations imposed by the Constitution of Nebraska.

(7) Suits under subsections (4) and (5) of this section shall be advanced on the court docket and heard and decided by the court as quickly as possible. Either party may appeal to the Court of Appeals within ten days after a decision is rendered. The appeal procedures described in the Administrative Procedure Act shall not apply to this section.

~~(4) The changes made to this section by Laws 1995, LB 337 shall apply to initiative and referendum petitions filed on or after September 9, 1995.~~

Sec. 2. Section 32-1412, Reissue Revised Statutes of Nebraska, is amended to read:

32-1412. (1) If the Secretary of State refuses to place on the ballot any measure proposed by an initiative petition presented at least four months preceding the date of the election at which the proposed law or constitutional amendment is to be voted upon or a referendum petition presented within ninety days after the Legislature enacting the law to which the petition applies adjourns sine die or for a period longer than ninety days, any resident may apply, within ten days after such refusal, to the district court of Lancaster County for a writ of mandamus. If a suit is filed to require the Secretary of State to place the issue on the ballot and the signatures have not been verified, the Secretary of State shall proceed with the signature verification process unless and until the suit is dismissed or the court orders otherwise. If it is decided by the court that such petition is legally sufficient, the Secretary of State shall order the issue placed upon the ballot at the next general election.

(2) On a showing that an initiative or referendum petition is not legally sufficient, the court, on the application of any resident, may enjoin the Secretary of State and all other officers from certifying or printing on the official ballot for the next general election the ballot title and number of such measure. If a suit is filed against the Secretary of State seeking to enjoin him or her from placing the measure on the official ballot, the person who is the sponsor of record of the petition shall be a necessary party defendant in such suit. Any such suit may be commenced at any time after the initiative or referendum petition has been filed in the office of the Secretary of State pursuant to

section 32-1407 and prior to the election at which the initiative or referendum measure is to be submitted to the registered voters.

(3) Such suits shall be advanced on the court docket and heard and decided by the court as quickly as possible. Either party may appeal to the Court of Appeals within ten days after a decision is rendered. The appeal procedures described in the Administrative Procedure Act shall not apply to this section.

(4) The district court of Lancaster County shall have jurisdiction over all litigation arising under sections 32-1401 to 32-1416.

(5) For purposes of this section, not legally sufficient means that an initiative or referendum petition (a) interferes with the legislative prerogative contained in the Constitution of Nebraska that the necessary revenue of the state and its governmental subdivisions shall be raised by taxation in the manner as the Legislature may direct, (b) does not comply with sections 32-1401 to 32-1416, (c) would violate the Constitution of the United States, (d) would violate the laws of the United States, or (e) fails to substantially comply with the procedural limitations imposed by the Constitution of Nebraska.

Sec. 3. Original sections 32-1405 and 32-1412, Reissue Revised Statutes of Nebraska, are repealed.".

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 7, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris - Lincoln; Wellness International Network Ltd.
Adams Jr., Donald D. - Lincoln; Nebraskans First, Inc.
Adams, John H. - Omaha; International Gamco, Inc.; Oasis Technologies, Inc.
Aggens, Christy - Lincoln; Nebraskans Against the Death Penalty
American Communications Group, Inc. - Lincoln; Center For Rural Affairs; Citizens for a Healthy Nebraska; Friends of the Nebraska Environmental Trust; Housing Excellence Coalition; Nebraska Academy of Physician Assistants; Nebraska Association of Behavioral Health Organizations; Nebraska Association of Public Employees, AFSCME Local 61; Nebraska Board of Examiners for Engineers & Architects; Nebraska Chapter of American Physical Therapy Association; Nebraska Counseling Association; Nebraska Emergency Medical Service Association; Nebraska Land Title Association; Nebraska Professional Fire Fighters Association; Nebraska Psychological Association; Nebraska Speech, Language, & Hearing Association; Papio-Missouri Natural Resources District

Andersen, Robert C. - Lincoln; Nebraska Cooperative Council
Anderson, Tim W. - Holdrege; Central Nebraska Public Power & Irrigation District
Arfmann, William W. - Lincoln; Nebraska Association of Public Employees, AFSCME Local 61
Ashley, Dr. Thomas - Lincoln; Lincoln Benefit Life Company
Baack, Dennis G. - Lincoln; Nebraska Community College Association
Baehr, Darcy L. - Lincoln; Nebraska Retail Federation
Bailey, Jon M. - Walthill; Center For Rural Affairs
Baker, Darryl - Beatrice; Norris Public Power District
Barta, Roy - North Platte; Nebraska Livestock Markets Association
Beattie, George - Lincoln; Nebraska Bankers Association
Becker, Timothy A. - Lincoln; Lamson, Dugan & Murray; Walter H. Radcliffe of Radcliffe & Associates
Beermann, Allen J. - Lincoln; Nebraska Press Association
Belcher, Barbara N. - Overland Park, KS; Merck & Company, Human Health Division
Bell, David - Columbus; Loup River Public Power District
Bellum, Fred - Columbus; American Association of Retired Persons
Bianco, William - Papillion; Chris Lake Association; Villa Springs Association
Boldt, Randy - Omaha; Blue Cross & Blue Shield of Nebraska
Bonaiuto, John A. - Lincoln; Nebraska Association of School Boards
Boucher, Richard - Lincoln; American Massage Therapy Association Nebraska Chapter
Bovee, Phyllis - Lincoln; American Association of Retired Persons
Brandt, Henry F. - Lincoln; Bailey-Lauerman & Associates Inc.
Bredenkamp, Troy - Lincoln; Nebraska Cattlemen
Brown, Vincent D. - Lincoln; American Petroleum Institute
Bruning, Deonne L. - Lincoln; AT&T Corp.
Buntain, David R. - Lincoln; Housing Authority of the City of Lincoln; Nebraska Medical Association
Butler, Richard J. - Lincoln; Nebraska Mortgage Association
Cady, Steven W. - Lincoln; Nebraska Pork Producers Association
Campbell, Mary M. - Lincoln; Educational Service Units; Lincoln Public Schools; Nebraska Beer Wholesalers Association; Nebraska Cable Communications Association; Nebraska Medical Association; Nebraska Wholesale Liquor Distributors Association; Region V; State Troopers Association of Nebraska, Inc.; University of Nebraska
Carlson, Karen A. - Lincoln; U S WEST
Carpenter, Rex - Lincoln; Nebraska Rural Electric Association
Carstenson, Eric B. - Lincoln; Nebraska Telephone Association
Cavanaugh, James P. - Omaha; Creighton University; Explore Information Services; Independent Insurance Agents of Nebraska; Nebraska District Judges Association; Nebraska Fraternal Order of Police
Cederberg, John E. - Lincoln; Limited Liability Company Association
Cheloha, John A. "Jack" - Omaha; City of Omaha
Chermok, Ruth - Omaha; National Electrical Contractors Association
Clark, Douglas R. - Omaha; UtiliCorp United

Clayburn, Neal - Lincoln; Lincoln Education Association
Clemens, Lisa - Minneapolis, MN; Cargill, Incorporated
Counts, Barry A. - Lincoln; Sprint/Local Telecommunications Division
Craig, Robert B. - Lincoln; The American Legion, Department of Nebraska
Cuca Jr., Ralph "Bud" - Lincoln; Nebraska Trucking Association
Cunningham, James R. - Lincoln; Nebraska Catholic Conference
Cutshall & Associates - Lincoln; Arapahoe Feed Mill, Inc./7-11 Pork Food, Inc.; Board of Trustees of Nebraska State College Systems; BryanLGH Health System; Community Lottery System, Inc.; Lincoln Medical Education Foundation; Louis F. Davis, Jr.; Metropolitan Utilities District of Omaha; Nebraska Academy of Family Physicians; Nebraska Association of Area Agencies on Aging; Nebraska Association of Home & Community Health Agencies; Nebraska Association of Resources Districts; Nebraska County Attorneys Association; Nebraska Dietetic Association; Nebraska Elk Breeders Association; Nebraska Financial Services Coalition; Nebraska Funeral Directors Association; Nebraska New Car & Truck Association; Nebraska Poultry Industries, Inc.; Nebraska Public Power District; Nebraska Rural Community Schools Association; Nebraska Water Coalition; Pfizer Inc.; Ruth & Mueller LLC; Southern Nebraska Rural Public Power District; U.S. BANCORP; Union Pacific Railroad
Cutshall, Bruce A. - Lincoln; Cutshall & Associates
DeCamp, John W. - Lincoln; Nebraska Chiropractic Physicians Association; Veterans of Foreign Wars
Dibbern, Chris M. - Lincoln; Nebraska Municipal Power Pool (NMPP Energy)
Didier, Genenne - David City; Nebraska Brain Injury Association
Dobler, James B. - Lincoln; Farmers Mutual Insurance Company of Nebraska
Dugan, Susie - Omaha; PRIDE-Omaha, Inc.
Dulaney, Michael S. - Lincoln; Nebraska Council of School Administrators
Edson, Dean E. - Lincoln; Nebraska Association of Resources Districts
Ellerbee, Don - Hastings; Nebraska Funeral Directors Association; Nebraska Veterinary Medical Association
Elliott, Joseph W. - Omaha; Professional Insurance Agents of Nebraska
Elliott, Mary Jane - Lincoln; Nebraska Health Care Association
Engel, Michelle L. - Lincoln; AT&T Corp.
Eret, Don - Dorchester; Supporters of Nebraska Tractor Testing Laboratory
Erickson, Julie S. - Lincoln; American Communications Group, Inc.
Evans, Eric A. - Lincoln; Nebraska Advocacy Services, Inc.
Eynon-Kokrda, Elizabeth - Omaha; Nebraska Methodist Health System, Inc.; Omaha Public Schools
Fahleson, Mark A. - Lincoln; Anderson Management Services, Inc.
Ferdinand, L. Rene' - Lincoln; The ARC of Nebraska
Ferrell, Beth Bazyn - Lincoln; Nebraska Association of County Officials
Fischer, David B. - Omaha; Union Pacific Railroad
Fisher, Dan - Lincoln; BPO ELKS, USA
Flannery, John S. - Des Moines, IA; GTE
Fleming, Richard L. - Lincoln; American Association of Retired Persons

Fraizer, T. J. - Lincoln; American Insurance Association; Mutual of Omaha Insurance Companies
Gady, Richard L. - Omaha; ConAgra, Inc.
Gibson, Lisa - Omaha; Voices for Children
Gigstad, Carolyn D. - Lincoln; American Consulting Engineers Council of Nebraska; Nebraska Society of Professional Engineers
Gilbertson, Korby M. - Lincoln; Nebraska Wildlife Protector's Assoc., Inc./Operation Game Thief (OGT); Walter H. Radcliffe of Radcliffe & Associates
Giles, Lorraine M. - Omaha; American Association of Retired Persons
Gingery, Robert O. - Lincoln; American Association of Retired Persons
Ginsburg, Joy - Kansas City, MO; American Cancer Society
Goc, John J. - Lincoln; Friends of Rural Education; Metropolitan Utilities District of Omaha; Nebraska Independent Telephone Association
Golden, Jeffrey S. - Lincoln; Children and Family Coalition of Nebraska
Gordon, James E. - Lincoln; DeHart & Darr Associates
Gould, John S. - Valparaiso; Common Cause Nebraska
Graham, Ronald - Blue Springs, MO; Novartis Pharmaceuticals Corporation
Grant, Rhonda K. - Lansing, MI; Jackson National Life Insurance Company
Graves Jr., Eugene J. - Omaha; Metro Omaha Builders Association
Grieser, Mary Taylor - Lincoln; Nebraska Society of Certified Public Accountants
Griess, James R. - Malcolm; Nebraska State Education Association
Guy, Burnell C. - Lincoln; Brain Injury Association of Nebraska Inc.
Haar, Ken - Lincoln; Nebraska Democratic Party
Hale, Brian R. - Lincoln; Nebraska Association of School Boards
Hallstrom, Robert J. - Lincoln; National Federation of Independent Business; Nebraska Bankers Association; Nebraska Occupational Therapy Association; Nebraska Pharmacists Association; NetWorks; The Ambassador Group
Hansen, John K. - Lincoln; Farmers Educational & Cooperative Union of Nebraska
Harding, William A. - Lincoln; League of Nebraska Municipalities
Harris, Nance - Lincoln; Nebraska Trucking Association
Hartley, Shirley - Lincoln; Mothers Against Drunk Driving, Nebraska (MADD)
Hartmann, William - Seward; Associated General Contractors of America, Nebraska Chapter
Head, Craig J. - Lincoln; Nebraska Farm Bureau Federation
Heald, Harlan - Lincoln; Nebraska Association of Hospitals & Health Systems
Hedman, Gary - Grand Island; Southern Nebraska Rural Public Power District
Herrin, Sally J. - Lincoln; Farmers Educational & Cooperative Union of Nebraska
Hogrefe, Raymond H. - Lincoln; National Association of Retired Federal Employees, Nebraska Federation
Hoke, Fred A. - Lincoln; Christian Science Committee on Publication for Nebraska

Holmquist, David W. - Lincoln; American Cancer Society
Holmquist, Jay - Lincoln; Nebraska Rural Electric Association
Hood, Jane Renner - Lincoln; Nebraska Humanities Council
Horne, Virgil L. - Lincoln; Lincoln Public Schools
Hullet, Kelvin L. - Lincoln; Lincoln Chamber of Commerce
Hybl, Michael G. - Lincoln; Great Plains Communications
Jenkins, Thomas J. - Omaha; Blue Cross & Blue Shield of Nebraska
Jensen, Ronald L. - Lincoln; Magellan Health Services, Inc.; Nebraska Association of Homes & Services for the Aging; Nebraska Association of Nurse Anesthetists; Nebraska Association of Private Resources; Nebraska Dental Hygienists Association; Nebraska Optometric Association; Nebraska Podiatric Medical Association; Philip Morris Management Corp. on behalf of Philip Morris, Inc.
Jensen, S. Michael - Blair; Great Plains Communications
Jewell, Jan - Lincoln; DeCamp Legal Services, P.C.
Jindra, Timothy A. - Lincoln; Class Is United
Johnson, DeMaris - Lincoln; Nebraska County Attorneys Association; Nebraska Water Resources Association
Johnson, Dick - Lincoln; Associated Builders & Contractors, Inc.
Johnson, Mary A. - Lincoln; Ruth & Mueller LLC
Jordison, John C. - Lincoln; Nebraska Tax Research Council, Inc.
Kamm, Richard D. - Columbus; Class VI Association of Schools; Nebraska School Finance Coalition
Kay, Jason - Chicago, IL; American Association of Retired Persons
Keetle, Roger S. - Lincoln; Nebraska Association of Hospitals & Health Systems
Kelley, Michael A. - Omaha; Douglas County, Nebraska; Eastern Nebraska Human Services Agency; Horsemens Benevolent & Protective Association; Insurance Auto Auctions, Inc.; Kelley, Lehan & Hall, P.C.; Metro Area Transit; Metropolitan Utilities District of Omaha; Nebraska Criminal Defense Attorneys Association; Omaha Airport Authority; Omaha Exposition & Racing Inc.; United Retailers Liquor Association of Nebraska
Kennedy, Barry L. - Lincoln; Nebraska Chamber of Commerce & Industry
Kennedy, Christopher R. - Omaha; Nebraska Credit Union League, Inc.
Kevil, G. Bruce - Lincoln; Nebraska State Home Builders Association
Kilgarin, Karen - Lincoln; Nebraska State Education Association
King, Terry L. - Lincoln; Associated General Contractors of America, Nebraska Chapter
Kissel, Gordon - Lincoln; AIA Nebraska; Alegent Health; Ameristar; Amoco; Erickson & Sederstrom, P.C.; Lancaster County Board of Commissioners; Lincoln Electric System; Nebraska Cooperative Council; Nebraska Goodwill Industries; Nebraska Hearing Society; Nebraska Investment Finance Authority; Nebraska Municipal Power Pool (NMPP Energy); Nebraska Pork Producers Association; Nebraska Telecommunications Business Users Coalition; West Teleservices
Kracke, Donald - DeWitt; Nebraska Livestock Markets Association
Krannawitter, Brian - Lincoln; American Heart Association
Kratz, Dean G. - Omaha; Associated General Contractors, Nebraska

Building Chapter; Nebraska League of Savings Institutions
Krueger, Gayle E. - Lincoln; AIA Nebraska
Krumland, Gary G. - Lincoln; League of Nebraska Municipalities
Kruse, Larry D. - Blue Springs, MO; Glaxo Wellcome Inc.
Kulesher, Kate M. - Lincoln; Wyeth-Ayerst Laboratories
Lange, Robert G. - Lincoln; Ameritas Life Insurance Corporation and its subsidiaries
Larsen, Carlin L. - Chadron; U S WEST
Lindsay, John - Lincoln; O'Hara & Associates, Inc.
Lineweber, Ray L. - Lincoln; United Transportation Union
Lombardi, Richard A. - Lincoln; American Communications Group, Inc.
Lutz, Daniel R. - Lincoln; ProRail Nebraska, Inc.
Lutz, Mark - Lincoln; Employers Unemployment Insurance Company; Nebraska Restaurant Association
Lutz, Richard - Lincoln; Employers Unemployment Insurance Company; Nebraska Restaurant Association
Madcharo, Kelley - Lincoln; Nebraska Medical Association
Maline, Robert - Omaha; U S WEST
Marcus, Joan K. - Omaha; The ARC of Nebraska
Marfisi, Thomas C. - Omaha; Mayor, City of Omaha
Marshall, Kelly J. - Omaha; Pharmacia & Upjohn Inc.
Mass, Ken E. - Omaha; Nebraska State AFL-CIO
McBride, David S. - Lincoln; National Association of Insurance and Financial Advisors (NAIFA); Nebraska Optometric Association
McClure, John - Columbus; Nebraska Public Power District
McFarland, James D. - Lincoln; Nebraska High School Press Association; Nonpartisan Family Coalition
McGee, Joan Ann - Lincoln; American Association of Retired Persons
McGuire and Norby - Lincoln; 3M Traffic Materials Division; Anheuser-Busch Companies; Central Platte Natural Resources District; City of Lincoln; Crow Butte Resources, Inc.; Enterprise Rent-A-Car; Nebraska Association of Tobacco & Candy Distributors; Nebraska Corn Growers Association; Nebraska Premium Pork; Nebraska State Education Association
McGuire, Mark - Lincoln; McGuire and Norby
McKenzie, Janis M. - Lincoln; Nebraska Insurance Federation
McKinlay, Aleisa C. - Lincoln; Nebraska Advocacy Services, Inc.
Meek, Randy D. - Lincoln; Brotherhood of Locomotive Engineers Nebraska State Legislative Board
Meerkatz, Marilyn - Lincoln; Class 1's United
Menzel, Elaine - Lincoln; Nebraska Association of County Officials
Mihovk, Donald J. - Lincoln; Nebraska Chamber of Commerce & Industry
Mikkelsen, Brian - Lincoln; Nebraska State Education Association
Mills, Guyla - Lincoln; Nonpartisan Family Coalition
Mills, Jack D. - Lincoln; Nebraska Association of County Officials
Minor, Timothy H. - Long Grove, IL; CF Industries, Inc.
Moors, H. Jack - Lincoln; McGuire and Norby
Mossman, Stephen D. - Lincoln; Private Waste Management and Recycling Association

Moylan, James H. - Omaha; Nebraska Licensed Beverage Association; R. J. Reynolds Tobacco

Mueller, William J. - Lincoln; American Express Travel Related Services Company, Inc.; ASARCO Incorporated; Associated General Contractors of America, Nebraska Chapter; AT&T Corp.; Ayars & Ayars, Inc.; Big Red Keno Ltd.; Chief Industries, Inc.; Cutshall & Associates; First Data Corporation; Harvey's Iowa Mgmt Co. d/b/a Harveys Casino & Hotel; Heartland Community Bankers Association; Kellogg Company; Lincoln Airport Authority; Lincoln Electric System; Metabolife International, Inc.; Millard Public Schools; Nebraska Academy of Eye Physicians and Surgeons; Nebraska Association of Airport Officials; Nebraska Collectors Association, Inc.; Nebraska Court Reporters Association; Nebraska Dental Association; Nebraska Interactive; Nebraska Machinery Company; Nebraska Methodist Health System, Inc.; Nebraska New Car & Truck Dealers Association; Nebraska Petroleum Marketers & Convenience Store Association; Nebraska Press Association; Nebraska Schools Construction Alternatives Association; Nebraska Society of Independent Accountants; Nebraska State Bar Association; Outdoor Advertising Association of Nebraska; Pharmaceutical Research and Manufacturers of America; Printing Industries of the Midlands; Rural/Metro Medical Services; Scientific Games, Inc.; Western Sugar Company

Naff, Clayton F. - Lincoln; Association of Nebraska Community Action Agencies

Neidig, Bryce P. - Madison; Nebraska Farm Bureau Federation

Nelson, Craig L. - Lincoln; Nebraska Association of County Officials

Nielsen, Coleen J. - Lincoln; State Farm Insurance Companies

Nowka, Trent P. - Lincoln; Cutshall & Associates

O'Hara & Associates, Inc. - Lincoln; ADT Automotive, Inc.; Allegiance Healthcare Corporation; Alliance of Automobile Manufacturers; Blue Cross & Blue Shield of Nebraska; CFO Services, LLP; Citizens for a Healthy Nebraska; Cox Nebraska Telcom, Inc.; Finocchiaro Wine Company, Inc.; First National Bank of Omaha; GTECH Corporation; Hall County Livestock Improvement Association; Handgun Control, Inc.; Kinder Morgan, Inc. (formerly KN Energy, Inc.); Lucent Technologies, Inc.; MCI Worldcom, Inc.; Minnesota Corn Processors, Inc.; NE Chapter-Nat'l Assoc. of Housing & Redevelopment Officials; Nebraska Association of Trial Attorneys; Nebraska County Judges Association; Nebraska Humanities Council; Nebraska Soft Drink Association; Northeast Nebraska Juvenile Services, Inc.; Northern Natural Gas Company; Nucor Corporation; Omaha Public Power District; Peru State College Foundation; Pioneer Hi-Bred International; University of Nebraska; UtiliCorp United; Winnebago Tribe of Nebraska

O'Hara, Paul V. - Lincoln; O'Hara & Associates, Inc.

O'Neill Jr., Thomas J. - Lincoln; Assoc. of Independent Colleges & Universities of NE/AICUN

Obermier, Duane - Lincoln; Nebraska State Education Association

Obst, Robert E. - Grand Island; U S WEST

Orton, Leroy - Lincoln; Nebraska State Irrigation Association; Nebraska Well Drillers Association

Ozanne, Colleen K. - Lincoln; State Farm Insurance Companies

Pack, Mary M. - Lincoln; Walter H. Radcliffe of Radcliffe & Associates

Pallesen Jr., Charles M. - Lincoln; Nebraska Medical Association; University of Nebraska

Parker, David R. - Lincoln; Great West Casualty Company; Joe Morten and Son, Inc.

Paulger, Mary Ann - Fremont; American Association of Retired Persons

Peetz, Natalie - Omaha; Greater Omaha Chamber of Commerce

Peters, William E. - Lincoln; Brown & Williamson Tobacco; Burlington Northern Santa Fe; Golden Rule Insurance Company; Lorillard Tobacco Company

Peterson, Alan E. - Lincoln; Media of Nebraska, Inc.

Pierson, Darwin R. - McCook; Nebraska Independent Oil & Gas Association

Popken, Kent T. - Lincoln; U S WEST

Potter, Cara E. - Lincoln; Coalition for Consumer Choice in Real Estate; Nebraska Retail Federation; Nebraska Retail Grocers Association

Prenda, Amy - Lincoln; Gordon Kissel-Kissel/E&S Associates, L.L.C.

Preston, James N. - Lincoln; Nebraska Trucking Association

Prettyman, Keith A. - Lincoln; Woodmen Accident and Life Company

Ptacek, Patrick J. - Lincoln; Nebraska Grain and Feed Association

Radcliffe, Walter H. - Lincoln; ALLTEL Communications; Father Flanagan's Boys' Home (a.k.a. Boys Town); GTECH Corporation; IBP, Inc.; Lincoln Public Schools; Media of Nebraska, Inc.; Motion Picture Association of America; National Rifle Association Institute for Legislative Action; Nebraska Broadcasters Association; Nebraska Cable Communications Association; Nebraska Financial Services Coalition; Nebraska Health Care Association; Nebraska New Car & Truck Dealers Association; Nebraska Optometric Association; Nebraska Pyrotechnics Association; Nebraska Realtors Association; Nebraska Rural Electric Association; Nebraska School Food Service Association; Nebraska Securities Industry Association; Nebraska Society of Certified Public Accountants; Nebraska State Cemetery Association; Nebraska Wholesale Liquor Distributors Association; Property Owners Association; State Troopers Association of Nebraska, Inc.; University of Nebraska; UST Public Affairs Inc.; Value Options; Waste Connections Inc.

Rasmussen, Dennis - Lincoln; Catrala Association; Class 1s United; Friends of Rural Education; Great Plains Communications; Iowa/Nebraska Farm Equipment Association; LensCrafters; Nebraska Independent Auto Dealers Association; Nebraska Land Improvement Contractors Association; Nebraska Petroleum Marketers & Convenience Store Association; Nebraska State Board of Agriculture; Nebraska State Historical Society; Nebraska Veterans Council; Norwest Bank Nebraska, N.A.; Philip Morris Management Corporation; Western Association

Recknor, John F. - Lincoln; Class 1s United

Remington, S. June - Lincoln; National Association of Insurance and Financial Advisors (NAIFA); Nebraska Chapter of National Association of Social Workers

Rempe, Jay E. - Lincoln; Nebraska Farm Bureau Federation

Renner, Shawn D. - Lincoln; Media of Nebraska, Inc.
Rex, L. Lynn - Lincoln; League of Nebraska Municipalities
Richards, Thomas - Omaha; Omaha Public Power District
Riibe, Diane - Omaha; Project Extra Mile
Roberts, John L. - Lincoln; Nebraska Association of Hospitals & Health Systems
Robertson, Rob J. - Lincoln; Nebraska Farm Bureau Federation
Rowley, Mitch - Lincoln; Nebraska Catholic Conference
Ruehle, Greg - Lincoln; Nebraska Cattlemen
Ruth, Larry L. - Lincoln; American Express Travel Related Services Company, Inc.; ASARCO Incorporated; Associated General Contractors of America, Nebraska Chapter; AT&T Corp.; Ayars & Ayars, Inc.; Big Red Keno Ltd.; Chief Industries, Inc.; Cutshall & Associates; First Data Corporation; Heartland Community Bankers Association; Kellogg Company; Lincoln Airport Authority; Lincoln Electric System; Metabolife International, Inc.; Millard Public Schools; Nebraska Academy of Eye Physicians and Surgeons; Nebraska Association of Airport Officials; Nebraska Collectors Association, Inc.; Nebraska Court Reporters Association; Nebraska Dental Association; Nebraska Interactive; Nebraska Machinery Company; Nebraska Methodist Health System, Inc.; Nebraska New Car & Truck Dealers Association; Nebraska Petroleum Marketers & Convenience Store Association; Nebraska Press Association; Nebraska Schools Construction Alternatives Association; Nebraska Society of Independent Accountants; Nebraska State Bar Association; Outdoor Advertising Association of Nebraska; Pharmaceutical Research and Manufacturers of America; Printing Industries of the Midlands; Rural/Metro Medical Services; Scientific Games, Inc.; Western Sugar Company
Ryan, Beth - Lincoln; Union Pacific Railroad
Sahling-Zart, Shelley R. - Lincoln; Lincoln Electric System
Sands, David - Denton; National Audubon Society
Scanlan, Jeffrey L. - Plattsmouth; Cornhusker Casualty Company
Schellpeper, William L. - Lincoln; Nebraska Medical Association
Scherling, Mary Jane - Lincoln; Nebraska Nurses Association
Schimek, Herbert H. - Lincoln; Nebraska State Education Association
Schmit Industries, Inc. - Lincoln; Ag Processing, Inc.; Bell Family Farms; Ethanol Research & Development Associates; Nebraska Wheat Growers
Schmit-Albin, Julie - Lincoln; Nebraska Right to Life, Inc.
Schroeder, William - Downers Grove, IL; Alliance of American Insurers
Schuele, Joe - Lincoln; ALLTEL Communications
Schwartz, Julia Plucker - Omaha; Childrens Healthcare Services; MultiState Associates Incorporated on behalf of AirTouch Communications; Western Surety Company
Sedlacek, Ronald J. - Lincoln; Nebraska Bankers Association; Nebraska Chamber of Commerce & Industry; Travelers Express Company, Inc.
Sellentin, Jerry L. - Lincoln; Nebraska Council of School Administrators
Semerad, Mark F. - Omaha; ConAgra, Inc.
Shaw, Timothy F. - Lincoln; Nebraska Advocacy Services, Inc.
Shipper, John - Fairfax, VA; National Rifle Association, Institute for

Legislative Action

Sholl, Arthur F. - Omaha; American Society of Mechanical Engineers

Shultz, Jack L. - Lincoln; Motorcycle Industry Council, Inc.

Siefken, Kathy - Lincoln; Nebraska Retail Grocers Association

Sigerson, Andrew C. - Omaha; Professional Child Care Providers Association of Nebraska

Sigerson, Chuck - Omaha; Nebraska Republican Party

Skochdopole, Robert A. - Omaha; American Society of Composers, Authors & Publishers; Assoc. of Independent Colleges & Universities of NE/AICUN; Catholic Mutual Relief Society; Ephedra Committee of the American Herbal Products Association; MultiState Associates Incorporated on behalf of AirTouch Communications; National Association of Independent Insurers; Nebraska SID Association; No On Excise Taxes; Walter H. Radcliffe of Radcliffe & Associates

Snyder, Patricia - Lincoln; Nebraska Health Care Association

Solem, Calvin C. - Omaha; Associated General Contractors, Nebraska Building Chapter

Sommermeyer, Mary E. - Lincoln; League of Nebraska Municipalities

Stading, Donald R. - Lincoln; Ameritas Life Insurance Corporation and its subsidiaries

Stilmock, Gerald M. - Syracuse; National Federation of Independent Business; Nebraska Occupational Therapy Association; Nebraska Pharmacists Association; Nebraska State Volunteer Firefighter's Association; The Ambassador Group

Stock, Darrell K. - Lincoln; Hudson, Jim and Debbie

Stone, Fred R. - Lincoln; Nebraska Petroleum Marketers & Convenience Store Association

Sullivan, J. Scott - Omaha; Nebraska Credit Union League, Inc.

Swertzic, Michelle - Lincoln; Nebraska Propane Gas Association

Thompson, Dale - McCook; American Association of Retired Persons

Thompson, Nancy L. - South Sioux City; Center For Rural Affairs

Todd Jr., A. Loy - Lincoln; Nebraska New Car & Truck Dealers Association

Tooker, Norman E. - Ralston; Nebraska State Grange

Tushar, Danene J. - Omaha; Childrens Healthcare Services; MultiState Associates Incorporated on behalf of AirTouch Communications

Uhe, Fred J. - Papillion; Sarpy County Board of Commissioners

Ullstrom, Galen F. - Omaha; Mutual of Omaha Insurance Companies

Urdahl, Michael B. - Blair; Great Plains Communications

Vickers, Tom - Lincoln; Board of Educational Lands and Funds; Nebraska Association of School Boards; Nebraska Community College Association; Nebraska Council of Private Postsecondary Career Schools; Nebraska Nurses' Association; Nebraska Propane Gas Association; Westside Community & Ralston Public Schools

Vodvarka, Dan - Lincoln; Nebraska Society of Certified Public Accountants

Wade, Rick G. - Lincoln; Alliance of American Insurers; Nebraska Cooperative Council

Wagner, Connie - Lincoln; Licensed Practical Nurse Association of Nebraska

Watson, Carol S. - Lincoln; Lincoln Benefit Life Company

Watson, James S. - Omaha; United HealthCare Corporation
Wiitala, Steve - Omaha; Omaha Public Schools
Williams, David M. - Lincoln; Ameritas Life Insurance Corporation and its subsidiaries
Wininger, Dwight - Lincoln; Nebraska Rural Telecommunication Coalition
Winston, Kenneth - Lincoln; Nebraska Library Association
Workman, William T. - Lincoln; American Association of Retired Persons
Wurtz, Thomas A. - Omaha; Metropolitan Utilities District of Omaha
Wylie, William M. - Elgin; Nebraska Insurance Information Service
Yost, Kurt T. - Lincoln; Central Nebraska Public Power & Irrigation District; Midwest Check Cashing Inc.; Nebraska Independent Bankers Association

UNANIMOUS CONSENT - Member Excused

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

MOTION - Adopt Permanent Rules

Senator Chambers offered the following amendment to the second proposed rules change:

Rule 3, Sec. 3

Strike and show as stricken: "Business and Labor" and "Urban Affairs" and insert "Business, Labor and Urban Affairs 15 Members"

The Chambers amendment lost with 2 ayes, 15 nays, 24 present and not voting, and 8 excused and not voting.

Senator Chambers offered the following amendment to the second proposed rules change:

Rule 3, Sec. 3

Strike and show as stricken: "Business and Labor" and "Nebraska Retirement Systems 6 Members" and insert "Business, Labor and Nebraska Retirement Systems 9 Members".

Senator Chambers moved for a call of the house. The motion prevailed with 9 ayes, 0 nays, and 40 not voting.

The Chambers amendment lost with 1 aye, 32 nays, 8 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

LB 929	Tuesday, January 18, 2000	1:30 p.m.
LB 930	Tuesday, January 18, 2000	1:30 p.m.
LB 931	Tuesday, January 18, 2000	1:30 p.m.
LB 932	Tuesday, January 18, 2000	1:30 p.m.

(Signed) David M. Landis, Chairperson

Health and Human Services

LB 797	Wednesday, January 19, 2000 (rehearing)	1:30 p.m.
LB 819	Wednesday, January 19, 2000 (rehearing)	1:30 p.m.

Wednesday, January 19, 2000 1:30 p.m.
Board of Emergency Medical Services
  Randall Datus
  Bruce Beins
  Michael Grutsch
  Gerald Matzke
  Chris Becker
Foster Care Review Board
  Barbara Heckman
Rural Health Advisory Commission
  Todd Stuckey, M.D.
  Lisa Yank

(Signed) Jim Jensen, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1170. Introduced by Smith, 48; Quandahl, 31.

A BILL FOR AN ACT relating to recall elections; to amend sections 31-787 to 31-792 and 32-1303 to 32-1308, Reissue Revised Statutes of Nebraska; to change provisions relating to calling and holding recall elections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1171. Introduced by Dickey, 18; Aguilar, 35; Cudaback, 36; Dierks, 40; Jensen, 20; Jones, 43; Kremer, 34; Dw. Pedersen, 39; Price, 26; Redfield, 12; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-1,104, Revised Statutes Supplement, 1999; to change provisions relating to licensee violations; to provide penalties; to provide duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1172. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to Joslyn Castle; to amend sections 72-1801 and 72-1802, Reissue Revised Statutes of Nebraska; to change provisions relating to the Joslyn Castle Trust Fund; to change funding provisions; to provide intent; to eliminate an obsolete reference; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1173. Introduced by Brown, 6; Bruning, 3; Hartnett, 45; Jensen, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.01, Reissue Revised Statutes of Nebraska; to change the income tax rate; and to repeal the original section.

UNANIMOUS CONSENT - Add Cointroducers

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

Senator Landis asked unanimous consent to have his name added as cointroducer to LB 1101. No objections. So ordered.

Senator Bromm asked unanimous consent to have his name added as cointroducer to LB 1017 and LB 1097. No objections. So ordered.

VISITORS

Visitors to the Chamber were Shavkat Ismailov, Minister of Justice from the Republic of Tajikistan, Brian Ridenour, and Bachtiyer Kholmatov.

ADJOURNMENT

At 3:59 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, January 11, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTH DAY - JANUARY 11, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 11, 2000

PRAYER

The prayer was offered by Pastor George Meslow, Martin Luther Home Society, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Crosby, Dierks, and Wickersham who were excused; and Senators Beutler, Bromm, Landis, Raikes, Robak, Schrock, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

MOTION - Adopt Temporary Rules

Senator Hudkins moved that the Rules, as now in our possession, be adopted for today only, Tuesday, January 11, 2000.

The motion prevailed.

UNANIMOUS CONSENT - Add Cointroducers

Senator Kristensen asked unanimous consent to have all the senators' names added as cointroducers to LR 292. No objections. So ordered.

RESOLUTION

LEGISLATIVE RESOLUTION 292. Read. Considered.

LR 292 was adopted with 44 ayes, 0 nays, and 5 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1174. Introduced by Smith, 48; Brown, 6; Bruning, 3; Jensen, 20; Dw. Pedersen, 39; Quandahl, 31.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-823, Reissue Revised Statutes of Nebraska; to change provisions relating to promotional advertising and informational and educational materials; and to repeal the original section.

LEGISLATIVE BILL 1175. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to appropriations; to state intent; to appropriate funds for Sheldon Memorial Art Gallery renovations; and to declare an emergency.

LEGISLATIVE BILL 1176. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to state government; to amend section 84-1613, Reissue Revised Statutes of Nebraska; to provide medicare supplement insurance for retired state employees; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1177. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to loans; to amend section 8-821, Reissue Revised Statutes of Nebraska; to provide a limitation on late payment fees; and to repeal the original section.

LEGISLATIVE BILL 1178. Introduced by Landis, 46.

A BILL FOR AN ACT relating to public funds; to amend sections 72-1263, 72-1264, and 77-2327, Reissue Revised Statutes of Nebraska; to change provisions relating to time deposit open accounts and bonds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

AMENDMENT - Print in Journal

Senator Coordsen filed the following amendment to LB 419:
AM2026

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 77-1359, Revised Statutes Supplement, 1998, is amended to read:

77-1359. For purposes of sections 77-1359 to 77-1363:

(1) Agricultural land and horticultural land shall mean land which is primarily used for the production of agricultural or horticultural products, including wasteland lying in or adjacent to and in common ownership or management with land used for the production of agricultural or horticultural products. Land retained or protected for future agricultural or horticultural uses under a conservation easement as provided in the Conservation and Preservation Easements Act shall be defined as agricultural land or horticultural land. Land enrolled in a federal or state program in which payments are received for removing such land from agricultural or horticultural production shall be defined as agricultural land or horticultural land. Land that is zoned predominantly for purposes other than agricultural or horticultural use shall not be assessed as agricultural land or horticultural land; ~~and~~

(2) Agricultural or horticultural products shall include grain and feed crops; forages and sod crops; animal production, including breeding, feeding, or grazing of cattle, horses, swine, sheep, goats, bees, or poultry; and fruits, vegetables, flowers, seeds, grasses, trees, timber, and other horticultural crops;

(3) Farm home site shall mean not more than one acre of land contiguous to a farm site or land actively devoted to agriculture which includes an inhabitable residence and improvements used for residential purposes, such improvements include utility connections, water and sewer systems, and improved access to a public road;

(4) Farm site shall mean the portion of land contiguous to land actively devoted to agriculture which includes improvements that are agricultural or horticultural in nature, including any uninhabitable or unimproved farm home site; and

(5) Land actively devoted to agriculture shall mean five or more contiguous acres of agricultural land or horticultural land under one ownership as an income-producing agricultural enterprise.

Sec. 2. Section 77-1361, Revised Statutes Supplement, 1998, is amended to read:

77-1361. (1) Agricultural land and horticultural land used solely for agricultural or horticultural purposes shall constitute a separate and distinct class of property for purposes of property taxation. Agricultural land and horticultural land shall be classified using the agricultural land valuation manual issued by the Property Tax Administrator pursuant to section 77-1330 which shall be developed using the methods prescribed in section 77-1362.

(2) No residential, commercial, industrial, or agricultural building or enclosed structure or the directly associated land or site of the building or enclosed structure shall be assessed as agricultural land or horticultural land, except that land currently in use as a farm site not currently occupied or used

for any other nonagricultural purpose shall be valued at the same assessed value as the contiguous agricultural land which is under the same ownership and is in use as agricultural land.

Sec. 3. Original sections 77-1359 and 77-1361, Revised Statutes Supplement, 1998, are repealed.".

EASE

The Legislature was at ease from 9:20 a.m. until 9:34 a.m.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1179. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to presidential electors; to amend section 32-714, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the original section.

LEGISLATIVE BILL 1180. Introduced by Wehrbein, 2; Smith, 48.

A BILL FOR AN ACT relating to relating to economic development; to create a fund for tourism development purposes.

LEGISLATIVE BILL 1181. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to banks and banking; to amend section 8-355, Revised Statutes Supplement, 1999; to revise the power of building and loan associations; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1182. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to municipalities; to amend section 18-1752.01, Reissue Revised Statutes of Nebraska; to change and eliminate solid waste collection service provisions; to repeal the original section; and to outright repeal section 18-1752.02, Reissue Revised Statutes of Nebraska.

RECESS

At 9:35 a.m., on a motion by Speaker Kristensen, the Legislature recessed until 3:00 p.m.

AFTER RECESS

The Legislature reconvened at 3:02 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Brashear, Crosby, Dierks, and Schrock who were excused; and Senators Bohlke, Hartnett, Kiel, Kremer, Robak, and Tyson who were excused until they arrive.

NOTICE OF COMMITTEE HEARINGS
Agriculture

Tuesday, January 18, 2000		1:30 p.m.

Beginning Farmer Board
  Roy Frederick
  Harry Knobbe
  Dale Pohlmann
  Gerald Timmerman
  Bill Zutavern

LB 960	Tuesday, January 18, 2000	1:30 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

Education

LB 986	Tuesday, January 18, 2000	1:30 p.m.
LB 988	Tuesday, January 18, 2000	1:30 p.m.
LB 996	Tuesday, January 18, 2000	1:30 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

MOTION - Adopt Permanent Rules

Senator Hudkins asked unanimous consent to withdraw the remaining portions of the Rules Committee's pending proposed rules changes, found on pages 167 and 168. No objections. So ordered.

Senator Hudkins renewed her pending motion, found on page 189, to adopt the permanent rules for the Ninety-Sixth Legislature, Second Session.

Senator Chambers requested a record vote on the adoption of the permanent rules.

Voting in the affirmative, 33:

Aguilar
Connealy
Hartnett
Jones
Matzke
Baker
Coordsen
Hilgert
Kiel
Pederson, D.
Beutler
Cudaback
Hudkins
Kremer
Preister
Bromm
Dickey
Janssen
Kristensen
Price
Byars
Engel
Jensen
Landis
Quandahl

Raikes Redfield Schmitt Smith Suttle
Thompson Tyson Vrtiska

Voting in the negative, 3:

Chambers Lynch Pedersen, Dw.

Present and not voting, 7:

Bourne Brown Bruning Schimek Stuhr
Wehrbein Wickersham

Excused and not voting, 6:

Bohlke Brashear Crosby Dierks Robak
Schrock

The Hudkins motion to adopt permanent rules prevailed with 33 ayes, 3 nays, 7 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 884. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 885. Title read. Considered.

Advanced to E & R for review with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 886. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 887. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 888. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 889. Title read. Considered.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 890. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 891. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 892. Title read. Considered.

Advanced to E & R for review with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 893. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 894. Title read. Considered.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1183. Introduced by Smith, 48.

A BILL FOR AN ACT relating to cities and villages; to amend section 19-916, Reissue Revised Statutes of Nebraska; to change provisions relating to additions and platting; to provide powers; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1184. Introduced by Price, 26.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-438 and 37-439, Revised Statutes Supplement, 1999; to change provisions relating to state park motor vehicle entry permits; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1185. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 878, section 51; to change an appropriation to the Nebraska State Historical Society; and to repeal the original section.

LEGISLATIVE BILL 1186. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-321, Reissue Revised Statutes of Nebraska; to provide for impoundment of motor vehicles for violation of motor vehicle financial responsibility requirements as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1187. Introduced by Jensen, 20; Byars, 30; Dickey, 18; Thompson, 14.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101 and 53-160, Reissue Revised Statutes of Nebraska; to change provisions relating to the gallonage tax; to create funds; to provide for disbursement; to provide an operative date; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1188. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Coordsen, 32; Hartnett, 45; Landis, 46; Raikes, 25.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 57-239, 60-106, 76-214, 77-115, 77-609, 77-1210, 77-1331, 77-1332, 77-1705, and 77-4105, Reissue Revised Statutes of Nebraska, sections 23-3202, 30-2467, 30-2469, 77-112, 77-202.05, 77-623, 77-801, 77-801.01, 77-802.01, 77-802.02, 77-1229, and 77-1249, Revised Statutes Supplement, 1998, and sections 77-101, 77-202.03, 77-421, 77-684, 77-1233.04, 77-1504, 77-1514, and 77-1701, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to the Property Tax Administrator, filings and returns, definitions, examinations, railroad property, public service property, listing of personal property, records, appeals, filing deadlines, forms, tax collection, and in-lieu-of-tax payments; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 77-110, 77-210 to 77-212, 77-398, 77-1213, and 77-1333, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1189. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to medical liens; to amend section 52-401, Reissue Revised Statutes of Nebraska; to provide for liens for chiropractors; and to repeal the original section.

LEGISLATIVE BILL 1190. Introduced by Hudkins, 21; Engel, 17; Kremer, 34; D. Pederson, 42.

A BILL FOR AN ACT relating to county agricultural society; to amend section 2-259, Revised Statutes Supplement, 1999; to authorize the purchase of real property from an additional tax levy; and to repeal the original section.

UNANIMOUS CONSENT - Member Excused

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 356. Considered.

Senator Byars asked unanimous consent to pass over LB 356. No objections. So ordered.

LEGISLATIVE BILL 505. Considered.

Senators Dw. Pedersen and Lynch asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Thompson withdrew her motion, found on page 1425, First Session, 1999, to indefinitely postpone LB 505.

Senator Landis offered the following amendment:
AM2018

(Amendments to Standing Committee amendments, AM0793)

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 77-2602, Revised Statutes Supplement, 1999, is amended to read:

77-2602. (1) Every person engaged in distributing or selling cigarettes at wholesale in this state shall pay to the Tax Commissioner of this state a special privilege tax. This shall be in addition to all other taxes. It shall be paid prior to or at the time of the sale, gift, or delivery to the retail dealer in the several amounts as follows: On each package of cigarettes containing not more than twenty cigarettes, sixty-four cents per package commencing on the effective date of this act until January 1, 2004, thirty-four cents per package on and after January 1, 2004; and on packages containing more than twenty cigarettes, the same tax as provided on packages containing not more than twenty cigarettes for the first twenty cigarettes in each package and a tax of one-twentieth of the tax on the first twenty cigarettes on each cigarette in excess of twenty cigarettes in each package. Commencing ~~July 1, 1994~~ on the effective date of this act, and continuing until ~~July 1, 2009~~ January 1, 2004, the State Treasurer shall place the equivalent of ~~twenty-one~~ twenty-three cents of such tax less three million dollars each fiscal year of proceeds of such tax in the General Fund. Commencing January 1, 2004, and continuing until July 1, 2009, the State Treasurer shall place the equivalent of twenty-one cents of such tax less three million dollars each fiscal year of the proceeds of such tax in the General Fund. Commencing July 1, 2009, the State Treasurer shall place the equivalent of twenty-one cents of such tax in the General Fund. For purposes of this section, the equivalent of a specified number of cents of the tax shall mean that portion of the proceeds of the tax equal to the specified number divided by sixty-four until January 1, 2004, and thirty-four on and after January 1, 2004. The State Treasurer shall distribute the remaining proceeds of such tax in the following order:

(a) First, beginning July 1, 1980, the State Treasurer shall place the equivalent of one cent of such tax in the Nebraska Outdoor Recreation Development Cash Fund. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the ~~twenty-one-cent~~ distribution to the General Fund;

(b) Second, beginning July 1, 1993, the State Treasurer shall place the equivalent of seven cents until January 1, 2004, and three cents on and after January 1, 2004, of such tax in the Department of Health and Human Services Finance and Support Cash Fund to carry out sections 81-637 to 81-640. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the ~~twenty-one-cent~~ distribution to the General Fund;

(c) Third, beginning July 1, 1995, the State Treasurer shall place the equivalent of two cents of such tax in the City of Omaha Public Events Facilities Fund for each fiscal year through fiscal year 2000-01. The Legislature shall appropriate all sums inuring to the fund to the city of Omaha upon evidence that any amounts so appropriated are matched with funds derived from sources other than state funds in amounts equivalent to one dollar for every two dollars appropriated. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the ~~twenty-one-cent~~ distribution to the General Fund;

(d) Fourth, beginning July 1, 1997, and continuing until July 1, 2001, the State Treasurer shall place the equivalent of seven cents of such tax in the Building Renewal Allocation Fund for each fiscal year, for the purposes stated in the Deferred Building

Renewal Act. Beginning July 1, 2001, and continuing until all the purposes of the Deferred Building Renewal Act have been fulfilled, the State Treasurer shall place the equivalent of nine cents of such tax in the Building Renewal Allocation Fund. The Legislature shall appropriate each fiscal year all sums inuring to the fund, plus interest earnings for the Task Force for Building Renewal to be used to carry out its duties and to fulfill the purposes of the Deferred Building Renewal Act. Unexpended balances existing at the end of each fiscal year shall be, and are hereby, reappropriated. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the ~~twenty-one-cent~~ distribution to the General Fund;

(e) Fifth, the State Treasurer shall place the difference between the equivalent of seventeen cents until January 1, 2004, and thirteen cents on and after January 1, 2004, of such tax and the sum of the amounts distributed pursuant to subdivisions (a) through (d) of this subsection in a special fund to be known as the Nebraska Capital Construction Fund; ~~and~~

(f) Sixth, beginning July 1, 1994, and continuing until July 1, 2009, the State Treasurer shall place in the Municipal Infrastructure Redevelopment Fund the sum of three million dollars each fiscal year to carry out the Municipal Infrastructure Redevelopment Fund Act. The Legislature shall appropriate the sum of three million dollars each year for fiscal year 1994-95 through fiscal year 2008-09; and

(g) Seventh, beginning July 1, 2000, and until January 1, 2004, the State Treasurer shall place the remaining proceeds of such tax in the Tobacco Prevention, Control, Cessation, and Enforcement Fund.

(2) The Legislature hereby finds and determines that the projects funded from the Municipal Infrastructure Redevelopment Fund, the City of Omaha Public Events Facilities Fund, and the Building Renewal Allocation Fund are of critical importance to the State of Nebraska. It is the intent of the Legislature that the allocations and appropriations made by the Legislature to such funds or, in the case of allocations for the Municipal Infrastructure Redevelopment Fund, to the particular municipality's account not be reduced until all contracts and securities relating to the construction and financing of the projects or portions of the projects funded from such funds or accounts of such funds are completed or paid or, in the case of the Municipal Infrastructure Redevelopment Fund, the earlier of such date or July 1, 2009, and that until such time any reductions in the cigarette tax rate made by the Legislature shall be simultaneously accompanied by equivalent reductions in the amount dedicated to the General Fund from cigarette tax revenue. Any provision made by the Legislature

for distribution of the proceeds of the cigarette tax for projects or programs other than those to (a) the General Fund, (b) the Nebraska Outdoor Recreation Development Cash Fund, (c) the Department of Health and Human Services Finance and Support Cash Fund, (d) the Municipal Infrastructure Redevelopment Fund, (e) the City of Omaha Public Events Facilities Fund, ~~and~~ (f) the Building Renewal Allocation Fund, and (g) the Tobacco Prevention, Control, Cessation, and Enforcement Fund shall not be made a higher priority than or an equal priority to any of the programs or projects specified in subdivisions (a) through ~~(f)~~ (g) of this subsection.

Sec. 2. The Tobacco Prevention, Control, Cessation, and Enforcement Fund is created. The fund shall be administered by the Health Promotion and Education Division of the Office of Preventive Health and Public Wellness in the Department of Health and Human Services. Of the money in the fund, the division shall make an amount equal to the equivalent of one cent of the cigarette tax available to the Nebraska State Patrol for enforcement of state and federal laws relating to tobacco. The division shall also make money from the fund available to political subdivisions and other state government agencies for enforcement purposes.

The money remaining in the fund shall be used for the following purposes in the percentage indicated:

(1) Community programs to reduce tobacco use, nineteen percent;

(2) Chronic disease programs, fifteen percent;

(3) School programs, twelve percent;

(4) Statewide programs, five percent;

(5) Enforcement, five percent;

(6) Counter marketing, nineteen percent;

(7) Cessation programs, twelve percent;

(8) Surveillance and evaluation, nine percent; and

(9) Administration and management, four percent.

The division shall adopt and promulgate rules and regulations to carry out the purposes of the fund, establish guidelines, standards, and procedures to evaluate the effectiveness of the programs and expenditures.

The division shall provide annual reports to the Governor and the Legislature beginning December 1, 2000, which provide an accounting of the fund and descriptions and an analysis of the effectiveness of projects and programs funded. All recipients of money from the fund shall submit a report of their activities funded each fiscal year to the division.

Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 3. Section 77-4008, Reissue Revised Statutes of Nebraska, is amended to read:

77-4008. (1) ~~Commencing on or after January 1, 1988, a~~ A tax is hereby imposed upon the first owner of tobacco products to be sold in this state. The tax shall be twenty-eight percent until January 1, 2004, and fifteen percent on and after January 1, 2004, of (a) the purchase price of such tobacco products paid by the first owner or (b) the price at which a first owner who made, manufactured, or fabricated the tobacco product sells the items to others. Such tax shall be in addition to all other taxes.

(2) Whenever any person who is licensed under section 77-4009 purchases tobacco products from another person licensed under section 77-4009, the seller shall be liable for the payment of the tax.

Sec. 4. The State Patrol Tobacco Enforcement Fund is created. The fund shall be administered by the Nebraska State Patrol and used for enforcement of federal and state law relating to tobacco. The fund shall include, but not be limited to, money transferred from the Tobacco Prevention, Control, Cessation, and Enforcement Fund. Any money in the State Patrol Tobacco Enforcement Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 5. Section 81-638, Reissue Revised Statutes of Nebraska, is amended to read:

81-638. (1) The Legislature shall appropriate for each year from the Department of Health and Human Services Finance and Support Cash Fund to the Department of Health and Human Services Finance and Support an amount derived from one cent of the cigarette tax imposed by section 77-2602, less any amount appropriated from the fund specifically to the University of Nebraska Eppley Institute for Research in Cancer and Allied Diseases. The director shall, after deducting expenses incurred in the administration of such funds, distribute such funds exclusively for grants and contracts for research of cancer and smoking diseases, for funding the cancer registry prescribed in sections 81-642 to 81-650, and for associated expenses due to the establishment and maintenance of such cancer registry. Not more than two hundred thousand dollars shall be appropriated for funding the cancer registry and associated expenses. The University of Nebraska may receive such grants and contracts, and other postsecondary institutions having colleges of medicine located in the State of Nebraska may receive such contracts.

(2) The Legislature shall appropriate for each year from the Department of Health and Human Services Finance and Support Cash Fund to the Department of Health and Human Services Finance and Support for cancer research an amount derived from two cents of the cigarette tax imposed by section 77-2602 to be used exclusively for grants and contracts for research on cancer and smoking diseases, except that for distributions occurring on or after July 1, 2000, and before January 1, 2004, the distribution under this subsection shall be six cents of the funds allocated to the department. No amount shall be appropriated or used pursuant to

this subsection for the operation and associated expenses of the cancer registry. Not more than one-half of the funds appropriated pursuant to this subsection shall be distributed to the University of Nebraska Medical Center for research in cancer and allied diseases and the University of Nebraska Eppley Institute for Research in Cancer and Allied Diseases. The remaining funds available pursuant to this subsection shall be distributed for contracts with other postsecondary educational institutions having colleges of medicine located in Nebraska which have cancer research programs for the purpose of conducting research in cancer and allied diseases.

(3) Any contract between the Department of Health and Human Services Finance and Support and another postsecondary educational institution for cancer research under subsection (2) of this section shall provide that:

(a) Any money appropriated for such contract shall only be used for cancer research and shall not be used to support any other program in the institution;

(b) Full and detailed reporting of the expenditure of all funds under the contract is required. The report shall include, but not be limited to, separate accounting for personal services, equipment purchases or leases, and supplies. Such reports shall be made available to the Legislature; and

(c) No money appropriated for such contract shall be spent for travel, building construction, or any other purpose not directly related to the research that is the subject of the contract.

Sec. 6. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.

Sec. 7. Original sections 77-4008 and 81-638, Reissue Revised Statutes of Nebraska, and section 77-2602, Revised Statutes Supplement, 1999, are repealed.

Sec. 8. Since an emergency exists, this act takes effect when passed and approved according to law.".

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1191. Introduced by Brown, 6; Quandahl, 31.

A BILL FOR AN ACT relating to local government; to amend sections 13-2202 and 32-567, Reissue Revised Statutes of Nebraska, and sections 13-503, 77-3442, and 77-3443, Revised Statutes Supplement, 1999; to authorize creation of locally enacted government structures; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1192. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Bourne, 8; Bruning, 3; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to retirement; to amend sections 24-709.01, 79-906, 79-911, 79-917, 79-956, 79-963, 81-2014, 81-2016, 81-2021, 84-1301, 84-1305.01, 84-1307, 84-1503, and 84-1512, Reissue Revised Statutes of Nebraska, sections 23-2306, 23-2312, 24-704, 24-707, 79-905, and 79-907, Revised Statutes Supplement, 1998, and sections 23-2301, 24-701, 24-706, 79-902, and 79-960, Revised Statutes Supplement, 1999; to change provisions relating to membership, the reporting and filing of information, liability for certain actions, and bidding processes; to redefine terms; to provide powers and duties; to eliminate a provision relating to audits; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-961, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1193. Introduced by Hilgert, 7; Brown, 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Reissue Revised Statutes of Nebraska, section 77-2701, Revised Statutes Supplement, 1998, and section 77-2702.13, Revised Statutes Supplement, 1999; to exempt purchases by museums and museum memberships from sales and use taxes; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1194. Introduced by Thompson, 14; Preister, 5.

A BILL FOR AN ACT relating to the Clean Indoor Air Act; to amend section 71-5707, Revised Statutes Supplement, 1999; to prohibit smoking at child care programs; to provide an exception; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1195. Introduced by Thompson, 14; Jensen, 20.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Outpatient Surgical Procedures Data Collection Act.

LEGISLATIVE BILL 1196. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1403 and 49-1478, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1455, Revised Statutes Supplement, 1999; to define terms; to state intent relating to campaign statements; to provide and change provisions relating to expenditure reports; to provide a penalty to restrict the disclosure of petition circulator information; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1197. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to trustees; to provide for a certification of trust; and to declare an emergency.

NOTICE OF COMMITTEE HEARING
Natural Resources

LB 900	Wednesday, January 19, 2000	1:30 p.m.
LB 901	Wednesday, January 19, 2000	1:30 p.m.
LB 902	Wednesday, January 19, 2000	1:30 p.m.
LB 903	Wednesday, January 19, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

AMENDMENTS - Print in Journal

Senator Brashear filed the following amendment to LB 383:
AM2023
(Amendments to Standing Committee amendments, AM0428)

1. Strike amendments 1 and 2 and insert the following new amendments:
"1. Strike original sections 1, 2, and 5.
2. On page 7, line 13, strike '1999' and insert '2000'.
3. On page 11, line 25, strike 'sections' through 'and' and insert 'section'.".
2. Renumber the remaining amendment accordingly.

Senator Brashear filed the following amendment to LB 383:
AM2025
(Amendments to Standing Committee amendments, AM0428)

1. Strike amendments 1 and 2 and insert the following new amendments:
"1. Strike original sections 1, 2, and 5.
2. On page 7, line 13, strike '1999' and insert '2000'; and in line 14 strike 'one-half of' and insert 'one-fourth of'.
3. On page 11, line 25, strike 'sections' through 'and' and insert 'section'.".
2. Renumber the remaining amendment accordingly.

Senator Brashear filed the following amendment to LB 383:
AM2024
(Amendments to Standing Committee amendments, AM0428)

1. Strike amendments 1 and 2 and insert the following new amendments:
"1. Strike original sections 1, 2, and 5.
2. On page 7, line 13, strike '1999' and insert '2000'; and in line 14 strike 'one-half of'.

3. On page 11, line 25, strike 'sections' through 'and' and insert 'section'.".

2. Renumber the remaining amendment accordingly.

Senator Suttle filed the following amendment to LB 523:
AM1998

1. Strike original section 5 and insert the following new sections:

"Sec. 2. Section 71-1,132.01, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,132.01. Sections 71-1,132.01 to 71-1,132.53 and sections 3 and 4 of this act shall be known and may be cited as the Nurse Practice Act.

Sec. 3. (1) In order to effectuate the transition into compact administration, the board shall require all licensees entering into or becoming subject to an order of probation or other disciplinary action that limits practice or requires monitoring to agree, as of the date of the order, not to practice in any other state which is a party to the Nurse Licensure Compact during the term of such probation or disciplinary action without prior authorization from the other party state.

(2) Any licensee subject to disciplinary action, such as revocation, suspension, probation, or any other action which affects a licensee's authorization to practice, on the effective date of entering the compact, is not entitled to a multistate license privilege while such disciplinary action is in effect unless practice in another state is authorized by this state and any other state in which the licensee wishes to practice.

Sec. 4. Before recognizing a home state license to practice nursing issued by a state which is a party to the Nurse Licensure Compact, the board shall determine that such state's qualifications for a nursing license are substantially equivalent to or more stringent than the minimum qualifications for issuance of a Nebraska license under the Nurse Practice Act.

Sec. 6. Section 71-1,132.11, Revised Statutes Supplement, 1999, is amended to read:

71-1,132.11. The board may adopt, promulgate, and revise, with the approval of the department, such rules and regulations consistent with the Nurse Practice Act as may be necessary to carry the act into effect. All such rules and regulations shall be published and distributed. The board shall:

(1) Adopt reasonable and uniform standards for nursing practice and nursing education;

(2) If requested, issue or decline to issue advisory opinions defining acts which in the opinion of the board are or are not permitted in the practice of nursing as defined in section 71-1,132.05. Such opinions shall be considered informational only and are nonbinding. Practice-related information provided by the board to registered or licensed practical nurses licensed under the

act shall be made available by the board on request to nurses practicing in this state under a license issued by a state that is a party to the Nurse Licensure Compact;

(3) Establish rules and regulations for approving and classifying programs preparing practical and professional nurses, taking into consideration administrative and organizational patterns, the curriculum, students, student services, faculty, and instructional resources and facilities, and provide surveys for each educational program as determined by the board;

(4) Approve educational programs which meet the requirements of the act;

(5) Examine, license, and renew the licenses of duly qualified applicants;

(6) Keep a record of all its proceedings and compile an annual report for distribution;

(7) Develop standards for continued competency of licensees continuing in or returning to practice;

(8) Adopt rules and regulations establishing standards for delegation of nursing activities, including training or experience requirements, competency determination, and nursing supervision;

(9) Make recommendations in accordance with section 71-168.01 regarding licensure and disciplinary dispositions for individuals who have violated the act and upon the grounds provided in the Uniform Licensing Law;

(10) Collect data regarding nursing;

(11) Provide consultation and conduct conferences, forums, studies, and research on nursing practice and education;

(12) Join organizations that develop and regulate the national nursing licensure examinations and exclusively promote the improvement of the legal standards of the practice of nursing for the protection of the public health, safety, and welfare;

(13) Appoint special purpose groups or ad hoc groups to advise the board; and

(14) Administer the provisions of the Advanced Registered Nurse Practitioner Act as it applies to certified registered nurse anesthetists, ~~and~~ the Nebraska Certified Nurse Midwifery Practice Act, and the Nurse Licensure Compact. In reporting information to the coordinated licensure information system under Article VII of the compact, the department may disclose personal identifying information about a nurse, including his or her social security number.

Sec. 7. Section 71-1,132.17, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,132.17. (1) In the interest of public safety and consumer awareness, it is unlawful for any person to use the title nurse in reference to himself or herself in any capacity, except individuals who are or have been licensed as a registered nurse or a licensed practical nurse. A Christian Science nurse may refer to himself or herself only as a Christian Science nurse.

(2) The terms "nurse", "registered nurse", and "licensed practical nurse" include persons licensed as registered nurses or licensed practical nurses by a state that is a party to the Nurse Licensure Compact. Unless the context otherwise indicates or unless doing so would be inconsistent with the compact, nurses practicing in this state under a license issued by a state that is a party to the compact have the same rights and obligations as imposed by the laws of this state on licensees licensed under the Nurse Practice Act. The department has the authority to determine whether a right or obligation imposed on licensees applies to nurses practicing in this state under a license issued by a state that is a party to the compact, unless that determination is inconsistent with the compact.

Sec. 10. Original sections 71-1,132.01, 71-1,132.05, 71-1,132.17, and 71-1,132.31, Reissue Revised Statutes of Nebraska, and section 71-1,132.11, Revised Statutes Supplement, 1999, are repealed.".

2. On page 12, strike beginning with "on" in line 14 through "recklessness" in line 17 and insert "except as provided in the State Tort Claims Act".

3. On page 19, line 26, strike "2000" and insert "2001".

4. Renumber the remaining sections accordingly.

UNANIMOUS CONSENT - Add Cointroducers

Senator Suttle asked unanimous consent to have her name added as cointroducer to LB 1163, LB 1164, LB 1165, and LB 1167. No objections. So ordered.

Senator D. Pederson asked unanimous consent to have his name added as cointroducer to LB 986. No objections. So ordered.

Senator Kiel asked unanimous consent to have her name added as cointroducer to LB 906. No objections. So ordered.

ADJOURNMENT

At 4:09 p.m., on a motion by Senator Beutler, the Legislature adjourned until 9:30 a.m., Wednesday, January 12, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

SIXTH DAY - JANUARY 12, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 12, 2000

PRAYER

The prayer was offered by Pastor Edward Price, All Nations Church of the Lord Jesus Christ, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:31 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Crosby and Jensen who were excused; and Senators Beutler, Bromm, Lynch, and Raikes who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills and resolutions:

LB/LR	**Committee**
LR 287CA	Government, Military and Veterans Affairs (rereferred)
LB 1067	Revenue
LB 1068	Banking, Commerce and Insurance
LB 1069	Natural Resources
LB 1070	Revenue
LB 1071	Agriculture
LB 1072	Revenue
LB 1073	Revenue
LB 1074	Revenue
LB 1075	Transportation and Telecommunications
LB 1076	Transportation and Telecommunications

LB 1077	Transportation and Telecommunications
LB 1078	Health and Human Services
LB 1079	Agriculture
LB 1080	Transportation and Telecommunications
LB 1081	Judiciary
LB 1082	Revenue
LB 1083	Government, Military and Veterans Affairs
LB 1084	Banking, Commerce and Insurance
LB 1085	Judiciary
LB 1086	General Affairs
LB 1087	General Affairs
LB 1088	Revenue
LB 1089	Transportation and Telecommunications
LB 1090	Transportation and Telecommunications
LB 1091	Judiciary
LB 1092	Agriculture
LB 1093	Judiciary
LB 1094	General Affairs
LB 1095	Health and Human Services
LB 1096	Judiciary
LB 1097	Transportation and Telecommunications
LB 1098	Urban Affairs
LB 1099	Revenue
LB 1100	Revenue
LB 1101	Health and Human Services
LB 1102	Judiciary
LB 1103	Urban Affairs
LB 1104	Nebraska Retirement Systems
LB 1105	Revenue
LB 1106	Government, Military and Veterans Affairs
LB 1107	Education
LB 1108	Health and Human Services
LB 1109	Revenue
LB 1110	Judiciary
LB 1111	Banking, Commerce and Insurance
LB 1112	Natural Resources
LB 1113	Health and Human Services
LB 1114	Revenue
LB 1115	Health and Human Services
LB 1116	Urban Affairs
LB 1117	Revenue
LB 1118	Judiciary
LB 1119	Banking, Commerce and Insurance
LB 1120	Health and Human Services
LB 1121	Banking, Commerce and Insurance
LB 1122	Judiciary
LB 1123	Business and Labor
LB 1124	Revenue
LB 1125	Banking, Commerce and Insurance

LB 1126	Government, Military and Veterans Affairs
LB 1127	Banking, Commerce and Insurance
LB 1128	Government, Military and Veterans Affairs
LB 1129	Transportation and Telecommunications
LB 1130	General Affairs
LB 1131	Urban Affairs
LB 1132	Revenue
LB 1133	Judiciary
LB 1134	Government, Military and Veterans Affairs
LB 1135	Government, Military and Veterans Affairs
LB 1136	Revenue
LB 1137	Revenue
LB 1138	Revenue
LB 1139	Health and Human Services
LB 1140	Health and Human Services
LB 1141	Health and Human Services
LB 1142	Judiciary
LB 1143	Government, Military and Veterans Affairs
LB 1144	Health and Human Services
LB 1145	Government, Military and Veterans Affairs
LB 1146	Transportation and Telecommunications
LB 1147	Transportation and Telecommunications
LB 1148	Banking, Commerce and Insurance
LB 1149	Revenue
LB 1150	General Affairs
LB 1151	Appropriations
LB 1152	Natural Resources
LB 1153	Health and Human Services
LB 1154	Transportation and Telecommunications
LB 1155	Revenue
LB 1156	Banking, Commerce and Insurance
LB 1157	Government, Military and Veterans Affairs
LB 1158	Government, Military and Veterans Affairs
LB 1159	Urban Affairs
LB 1160	Education
LB 1161	Education
LB 1162	Education
LB 1163	Appropriations
LB 1164	Health and Human Services
LB 1167	Health and Human Services
LB 1168	Revenue
LB 1169	Education
LB 1170	Government, Military and Veterans Affairs
LB 1171	General Affairs
LB 1172	Appropriations
LB 1173	Revenue

LR 289CA	General Affairs
LR 291CA	Judiciary
LR 293CA	Revenue

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

MESSAGE FROM THE GOVERNOR

January 11, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as Health & Human Services Policy Secretary:

APPOINTEE:
Chris Peterson, 1812 W Louise, Grand Island NE 68803

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

AMENDMENT - Print in Journal

Senator Kristensen filed the following amendment to LB 534:
AM0535

1. Insert the following new section: "Sec. 10. The following section is outright repealed: Section 49-508.01, Reissue Revised Statutes of Nebraska.".

2. On page 2, line 10, after the period insert "The clerk shall distribute two copies of the session laws and journal to each person who was a member of the Legislature by which the laws were enacted. The clerk shall provide the session laws and journals to the Secretary of State for distribution pursuant to sections 49-501 to 49-509.01.".

3. On page 3, lines 4 and 11; and page 7, line 25, after "determines" insert ", upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council".

4. On page 4, strike beginning with "eight" in line 16 through the semicolon in line 17 and show as stricken.

5. On page 5, line 18, after "format" insert ", upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council".

6. On page 6, lines 10 and 11, strike "as recommended" and insert ", upon recommendation"; in line 11 strike "approved by"

and insert "approval of".
7. Renumber the remaining section accordingly.

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

LB 898	Thursday, January 20, 2000	1:30 p.m.
LB 911	Thursday, January 20, 2000	1:30 p.m.
LB 920	Thursday, January 20, 2000	1:30 p.m.
LB 923	Thursday, January 20, 2000	1:30 p.m.
LB 983	Thursday, January 20, 2000	1:30 p.m.
LB 963	Friday, January 21, 2000	1:30 p.m.
LB 995	Friday, January 21, 2000	1:30 p.m.
LB 1005	Friday, January 21, 2000	1:30 p.m.
LB 1023	Friday, January 21, 2000	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Judiciary

LB 922	Wednesday, January 19, 2000	1:30 p.m.
LB 921	Wednesday, January 19, 2000	1:30 p.m.
LB 926	Wednesday, January 19, 2000	1:30 p.m.
LB 940	Wednesday, January 19, 2000	1:30 p.m.
LB 1013	Wednesday, January 19, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1198. Introduced by Bohlke, 33; Janssen, 15.

A BILL FOR AN ACT relating to public works; to amend sections 16-325 and 17-801, Reissue Revised Statutes of Nebraska; to change provisions relating to boards of public works; to provide powers; and to repeal the original sections.

LEGISLATIVE BILL 1199. Introduced by Price, 26.

A BILL FOR AN ACT relating to elections; to amend sections 18-2521, 19-3002, 19-3005, 19-3006, and 32-908, Reissue Revised Statutes of Nebraska; to change the polling hours for certain elections; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1200. Introduced by Nebraska Retirement Systems Committee: Stuhr, 24, Chairperson; Bourne, 8; Bruning, 3; Wehrbein, 2;

Wickersham, 49.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2310.04, 23-2319.01, 84-1310.01, 84-1311.03, 84-1314, and 84-1321.01, Reissue Revised Statutes of Nebraska, and sections 23-2309.01 and 23-2310.05, Revised Statutes Supplement, 1999; to change provisions relating to forfeitures, administrative expenses, and the crediting of funds; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1201. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-507, Reissue Revised Statutes of Nebraska; to change provisions relating to burglary; and to repeal the original section.

LEGISLATIVE BILL 1202. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-519, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to criminal mischief; and to repeal the original section.

LEGISLATIVE BILL 1203. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to rules of evidence; to amend sections 27-404, 27-1101, and 29-1927, Reissue Revised Statutes of Nebraska; to change provisions relating to alibi and character evidence; and to repeal the original sections.

LEGISLATIVE BILL 1204. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to courts; to amend section 25-2804, Reissue Revised Statutes of Nebraska, and sections 29-117 and 29-825, Revised Statutes Supplement, 1998; to change procedure provisions; and to repeal the original sections.

LEGISLATIVE BILL 1205. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend sections 13-919 and 13-920, Reissue Revised Statutes of Nebraska; to change limitation of action provisions; and to repeal the original sections.

LEGISLATIVE BILL 1206. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to elections; to amend section 32-538, Reissue Revised Statutes of Nebraska; to change provisions relating to cities with the city manager plan of government; and to repeal the original section.

LEGISLATIVE BILL 1207. Introduced by Engel, 17; Bromm, 23.

A BILL FOR AN ACT relating to state colleges; to create a fund; and to provide for self-insurance as prescribed.

LEGISLATIVE BILL 1208. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the comprehensive health insurance pool; to amend sections 44-4202 to 44-4217, 44-4219 to 44-4222, 44-4224 to 44-4228, and 44-4230, and 77-918, Reissue Revised Statutes of Nebraska, and sections 44-4233 and 77-912, Revised Statutes Supplement, 1999; to change provisions relating to the pool; to change funding provisions; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 1209. Introduced by Landis, 46.

A BILL FOR AN ACT relating to insurance; to amend sections 44-6603 and 44-6606, Reissue Revised Statutes of Nebraska, and section 28-631, Revised Statutes Supplement, 1998; to redefine terms for purposes of insurance fraud provisions; to change a fee provision; and to repeal the original sections.

EASE

The Legislature was at ease from 9:51 a.m. until 10:00 a.m.

MOTION – Escort Governor

Senator Kristensen moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Baker, Beutler, Raikes, Redfield, and Suttle to serve on said committee.

STATE OF THE STATE ADDRESS

Mr. President, Mr. Speaker, Members of the Legislature, distinguished guests, friends, and fellow Nebraskans:

One year ago, I came before you to present my first State of the State Address.

I shared with you a blueprint for implementing a vision of less government, lower taxes, protecting our families, and building our economy.

Together, we advanced that vision.

While addressing a wide variety of issues important to Nebraskans and important to the future of our State, our common focus remained on that four point agenda.

More specifically, the budget we agreed on was based on the principles of spending restraint, funding our priorities, and providing tax relief.

We achieved the most conservative spending growth in our state's budget in a decade, a renewed commitment to providing services that ensure a continued quality of life for our citizens, and provided more than $105 million dollars in tax relief measures.

I am proud of that first year effort and grateful for the partnership that we developed during my first year in office.

Today, I am presenting my legislative initiatives and recommendations for mid-biennium adjustments to the 1999-2001 biennial budget. With this legislation, and these budget adjustments, I continue to emphasize the priorities of lower taxes, less government, building Nebraska's economy, and protecting our families, with an added focus on initiatives which will help ensure the health, safety, and success of our children.

Starting with lower taxes, I am proposing that we repeat the $30 million dollar community college aid that resulted in dollar for dollar property tax relief in 1999. Coupled with the $35 million dollar tax credit already approved for this year, property taxpayers – including the farmer in West Point, the homeowner in Bellevue, the business woman in Lincoln, and the rancher in Cheyenne County – would benefit from $65 million dollars in direct property tax relief this year.

I also propose that we hold to our commitment to allocate over-appropriated funds in the state aid to education formula to the following year's school aid. This issue was debated extensively when LB 149 and LB 881 were considered by this body a year ago. I believe that policy decision was the right thing to do especially considering the coming school tax levy drop and the commitment of the Unicameral to substitute state funds for lost property tax revenues.

The additional $30 million dollars in community college aid and the reappropriation of an estimated $34 million in school aid is a strong commitment to property tax relief, funding education, and maintaining the budget agreement we made a year ago.

It is an appropriate point in my comments to commend the Legislature for your collective commitment to property tax relief. Few issues are as complex and as difficult as this issue.

If we provide another year of community college aid, in addition to the direct credit and the school levy drop, a total of $155 million in state resources will have been dedicated to property tax relief. That is in addition to the areas where the cost of services were transferred from local to State government--such as Medicaid, municipal courts, and property tax assessment. And in addition to those changes, today, approximately 38 percent, or 888 million of the State general fund budget, in one form or another, is provided as State aid to local governments to help lower property taxes.

The plan I have offered fits within your ongoing commitment to be a partner in the property tax relief effort. I ask you to adopt the property tax plan I have placed before you and then let's continue our efforts in this area as we look to the future.

I pledge that my door will always be open to visit with you or any Nebraskan about an idea or proposal you have for property tax relief. Our common search for new ways to help homeowners, farmers, ranchers, and all those who feel the burden of property tax continues.

Now let me turn my attention to a more efficient state government – a government more responsive to the needs of our citizens.

Along with your Natural Resources Committee, I am proposing the merger of the Department of Natural Resources and the Department of Water Resources. I ask you to approve this merger because it is good public policy to incorporate the functions of these two agencies into a single agency. We expect this merger will improve service and coordination of resources, eliminate confusion over which agency sets what water policy, and cause efficiencies and savings in future years. In this budget recommendation, I propose that these agencies absorb the estimated cost of the merger.

Now allow me to focus on our state's economy. It is the state of our overall economy that has drawn my attention and the attention of many of you.

On the surface, the State's economy is solid and sound. But we must ask ourselves – does that same condition exist in all 93 Nebraska counties?

The economy in our metropolitan areas and larger counties is experiencing growth we can all be extremely proud of. The economic engine is working and driving the general indicators of prosperity in our State.

But the economy in our rural areas and more sparsely populated counties has been adversely impacted by the crisis that has afflicted the agriculture economy. Many parts of our state need our help in diversifying their local economy in addition to a boost for agriculture.

The problems caused by a lack of diversification in the rural economy coupled with low commodity prices will take time to overcome and will require a comprehensive approach.

Nebraska definitely is confronted by a two-track economy. If we accomplish one thing this session, it should be to balance economic opportunity from east to west and north to south in our State. I believe the "Rural Economic Opportunities Act" will do exactly that.

I want to thank Senator Jerry Matzke for leading this legislative initiative. And I also want to thank the thirty-four co-sponsors of this important legislation. This economic development tool will fill in the gap so-to-speak and encourage job creation and capital investment in Nebraska's small and mid-size counties. Industries that could qualify under this tax incentive plan include manufacturing, warehousing, transportation, research and development, insurance, data processing, or telecommunications.

Another key area of economic development that this proposal is meant to encourage is value-added agriculture. We have the land, the crops, the animals, and the people to make value-added agriculture an even bigger component of our economy. The result will be greater demand for raw commodities and an increased share of the consumer dollar for Nebraska's farmers and ranchers. In other words, increased income and increased profitability for agriculture producers who have been struggling in the face of historic or near historic low commodity prices.

As a much-needed boost for value-added agriculture, I am proposing more than $1 million dollars in increased support for value-added activity in the Department of Economic Development and the Department of Agriculture. These additional funds – which would come from reallocated resources within the departments, increased general fund support, and a partnership with industry groups – will take the Nebraska Value-Added Agriculture Initiative to another level of success.

An emphasis on property tax relief, value-added agriculture, and encouraging economic opportunity in rural Nebraska is in my judgement good for the entire state. Harnessing the economic potential of all Nebraskans will ensure a strong foundation for an optimistic future.

As we strive to build a stronger and more diversified statewide economy, I also turn your attention to the need to protect our families. An important component of that priority is public safety. I have already identified priorities in this area.

First, adopting lethal injection as the method of carrying out a sentence in capital cases.

Second, reform of the post conviction appeals process. The present system of unlimited appeals has caused many Nebraskans to lose faith in the effectiveness of the criminal justice system. I urge you to reform post-conviction appeals this session.

Third, I am proposing to add twelve state troopers, six of them to be deployed for community policing services and six troopers to work in the area of highway safety.

Fourth, I am proposing conversion of the Law Enforcement Training Center in Grand Island to an open enrollment, tuition-based law enforcement certification training program. Basic pre-certification training would be completed at community colleges or other educational institutions prior to enrollment and completion of the basic law enforcement training program. The program will reduce salary training costs at the local level while providing an available pool of qualified and trained applicants to refill law enforcement vacancies on a more timely basis.

Fifth, I am proposing additional funds to upgrade the Criminal Justice Information Systems, giving law enforcement greater access to more criminal information and history.

As an addition to these measures, I am identifying one other priority in the area of public safety. I am proposing to convert carrier enforcement officers to state troopers. I am proposing that this be done in a way that places no additional burden on gasoline tax revenues with a commitment that these troopers will devote their full time to carrier enforcement duties. This proposal is submitted for your consideration due to the retention issues we are facing with the current system. The continuous turnover of carrier enforcement personnel is making it extremely difficult to maintain the integrity of carrier enforcement efforts.

I ask for your support of these criminal justice initiatives.

My final comments in this message address our State's most important asset -- our children.

In the past year, I have championed childhood immunizations, sought to ensure access to health insurance for children in low income families, encouraged adoption, promoted reading to children, sought solutions to the affordability and accessibility of quality child care, supported mentoring of at-risk children, visited schools and talked to students of all ages, toured the Youth Rehabilitation and Training Centers at Kearney and Geneva, co-sponsored the youth violence summit held last summer, appointed a blue ribbon panel of experts to review the state's infant mortality rate, and sought improvements in our State's juvenile justice system.

The health, safety, and development of Nebraska's children is a high priority for my administration.

Accordingly, my budget recommendations include a number of investments to secure a better future for our children.

Adjustments include additional dollars for child care, child welfare services, and adoption assistance for families willing to provide caring homes for children eligible for adoption.

As an outgrowth of the recently completed Juvenile Facilities Master Plan, I am recommending that either an existing facility be renovated or a new building be built to house a Parole Revocation program. In addition, operating funds are provided to begin a Wilderness Camp program for juvenile offenders. Both of these efforts address overcrowding at the Youth Rehabilitation and Treatment Centers and will allow current staff to more effectively treat the youth who are properly committed at those facilities for care.

I am also proposing the continuation of a pilot program called the Learning Extensions program created through a partnership with Omaha Public Schools and Omaha Together One Community and the Nebraska Health and Human Services System. The goal is to increase parental involvement and thereby improve the child's academic performance.

In my budget modification, I add nearly $28 million dollars to cover child care expansions that occurred without your approval and before I came to office. Please be assured of my disapproval of the practice of making administrative expansion of programs that involve fundamental policy issues without authorization by this body. I can, and will, address some administrative issues that will make the child care program more sensible. But, together, we must engage in a policy debate to decide an appropriate level of benefits that ensures fiscal stability for this program and that provides a benefit for those Nebraskans truly in need.

As a state, we continue to experience more children being placed into state custody. Therefore, an additional $11 million is sought to cover this cost. We will initiate an all out effort to secure federal matching funds to lessen the impact on the general fund. Additional funds are also being set aside to finance Kids Connection to be sure that children in low income families have adequate health care.

Further, I am asking that you pass LB 482 which provides adoption assistance for families who adopt state wards – our goal must be to provide a permanent family for each child in our custody who is ready for adoption.

I am also putting funds in the budget for an additional Foster Care Review Board Specialist to monitor the placement of children in out of home care. I set aside funding necessary to establish the State Disbursement Unit for child support payments as required by federal law. And I have proposed legislation to implement a School-to-Career program and to provide new support for youth mentoring.

Finally, I am announcing that I have directed the Lieutenant Governor and the Health and Human Services Policy Secretary to form a team to address the question of what we can do as a State to ensure that every child in Nebraska is healthy, safe, and successful. This team will review the entire system of State services for children and recommend how we can better focus our resources to meet the needs of our children.

In addition, the Lieutenant Governor will lead a partnership between the State Department of Education and the Health and Human Services System on early childhood care and education issues. The partnership's focus will be to implement the Business Council on Child Care Financing's recommendation to coordinate, consolidate, or eliminate multiple and duplicate commissions and boards for the purpose of efficiently administering, managing and monitoring early childhood care and education in Nebraska.

Without a close second, the emphasis of this message has been upon the health, safety, and success of our children. The funds I am seeking and the initiatives I have proposed are important and in my judgement a sound investment for our long-term future.

A year ago I delivered my first State of the State message. I told you that we could and must work together for our great state.

I repeat that message today.

Working together we unite Nebraska as we advance a vision which benefits all of our citizens; a vision of less government, lower taxes, building our economy, protecting our families, and advancing the health, safety, and success of our children.

The committee escorted Governor Mike Johanns from the Chamber.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1210. Introduced by Robak, 22; Bohlke, 33; Kiel, 9; Price, 26; Schimek, 27; Suttle, 10.

A BILL FOR AN ACT relating to mental illness; to adopt the Program for Assertive Community Treatment Act.

LEGISLATIVE BILL 1211. Introduced by Robak, 22; Bohlke, 33; Suttle, 10.

A BILL FOR AN ACT relating to dental services; to state findings; to create the Task Force on Dental Services; to provide duties; and to provide a termination date.

LEGISLATIVE BILL 1212. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to the Rural Health Systems and

Professional Incentives Act; to amend sections 71-3515.02 and 71-5652, Reissue Revised Statutes of Nebraska, and sections 71-5653, 71-5662, 71-5663, and 71-5668, Revised Statutes Supplement, 1998; to change provisions relating to dental students and amounts of financial assistance; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1213. Introduced by Education Committee: Bohlke, 33, Chairperson; Brashear, 4; Coordsen, 32; Price, 26; Raikes, 25; Stuhr, 24; Suttle, 10; Wickersham, 49.

A BILL FOR AN ACT relating to schools; to amend sections 79-4,111 and 79-1023, Revised Statutes Supplement, 1998, and sections 13-508, 79-1001, 79-1003, 79-1024, 79-1026, 79-1028, and 79-1029, Revised Statutes Supplement, 1999; to change provisions relating to voting on budget overrides; to add and change provisions relating to certification of limitations as prescribed; to eliminate provisions relating to recertification of state aid and determination of Class I school district budgets; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-1022.01 and 79-1083.03, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1214. Introduced by Speaker Kristensen, 37; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 84-612, Reissue Revised Statutes of Nebraska, and section 77-5304, Revised Statutes Supplement, 1999; to provide for transfers of funds; to provide for allocation of certain funds to community college areas; to eliminate a fund; to harmonize provisions; to repeal the original sections; to outright repeal section 79-1072.04, Revised Statutes Supplement, 1999; and to declare an emergency.

LEGISLATIVE BILL 1215. Introduced by Speaker Kristensen, 37; at the request of the Governor.

A BILL FOR AN ACT relating to health care; to amend section 71-7610, Revised Statutes Supplement, 1998; to provide for the use of certain funds for the medical assistance program as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1216. Introduced by Speaker Kristensen, 37; at the request of the Governor.

A BILL FOR AN ACT relating to state funds; to amend sections 68-601 to 68-605, 68-608, 68-610, 68-612, 68-613, 68-620, 68-622, 68-631, 72-815, 81-1108.03, 81-1108.05, 81-1108.15, 81-1110.02, 81-1110.04, and 81-1117.01, Reissue Revised Statutes of Nebraska, sections 68-621 and 72-816, Revised Statutes Supplement, 1999, and Laws 1999, LB 873, sections 1, 3, 4, and 5; to provide for transfers; to create a fund; to rename funds; to change provisions relating to the uses of various funds; to harmonize provisions; to change transfer provisions; to provide and change termination dates; to repeal the original sections; to outright repeal sections 68-614, 68-615, 68-617, and 68-618, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1217. Introduced by Speaker Kristensen, 37; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 90A, section 1; Laws 1999, LB 131A, section 1; Laws 1999, LB 144, section 1; Laws 1999, LB 637A, section 2; Laws 1999, LB 878, sections 30, 39, 43, 45, and 60; and Laws 1999, LB 880, sections 14, 17, 20, 32, 56, 77, 90 to 95, 102, 103, 104, 109, 124, 149, 151, 152, 157, 159, 160, 204, 211, 221, 235, 237, 238, 242, 244, 250, 262, 264, and 267; to define terms; to provide for deficit appropriations; to appropriate funds for the expenses of state government, postsecondary education, capital construction, and state aid; to state and eliminate intent; to change appropriations as prescribed; to change transfers; to repeal the original sections; and to declare an emergency.

RESOLUTION

LEGISLATIVE RESOLUTION 294CA. Introduced by Kristensen, 37.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, sections 10 and 14:

III-10 "Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment. ~~The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided.~~ A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members~~,~~ and shall choose its own officers, including a Speaker. ~~to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor.~~ No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior."

III-14 "Every bill and resolution shall be read by title when introduced, and a printed copy thereof provided for the use of each member. The bill and all amendments thereto shall be printed and presented before the vote is taken upon its final passage and shall be read at large unless three-fifths of all the members elected to the Legislature vote not to read the bill and all amendments at large. No vote upon the final passage of any bill shall be taken until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the subject shall be clearly expressed in the title. No law shall be amended unless the new act contains the section or sections as amended and the section or sections so amended shall be repealed. The ~~Lieutenant Governor, or the Speaker if acting as~~ presiding officer~~,~~ shall sign, in the presence of the Legislature while it is in session and capable of transacting business, all bills and resolutions passed by the Legislature.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to eliminate references to the Lieutenant Governor as the presiding officer of the Legislature.
For
Against".

Referred to the Reference Committee.

GENERAL FILE

LEGISLATIVE BILL 505. Senator Landis renewed his pending amendment, AM2018, found on page 235.

Senators Dierks, Robak, and Tyson asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler offered the following amendment to the Landis pending amendment:
FA261
Amend AM2018
On page 7, line 24 sentence 24 strike "federal and"

Senator Hartnett asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

AMENDMENT - Print in Journal

Senator Thompson filed the following amendment to LB 750:
AM2012
(Amendments to Standing Committee amendments, AM0424)

1. Strike amendment 2 and insert the following new amendments:

"1. Insert the following new sections:

'Section 1. Section 71-5701, Reissue Revised Statutes of Nebraska, is amended to read:

71-5701. Sections 71-5701 to 71-5713 and section 4 of this act may be cited as the Nebraska Clean Indoor Air Act.

Sec. 2. Section 71-5702, Reissue Revised Statutes of Nebraska, is amended to read:

71-5702. The purpose of ~~sections 71-5701 to 71-5713~~ the Nebraska Clean Indoor Air Act is to protect the public health, comfort, and environment by prohibiting smoking in public places and at public meetings except in designated smoking areas.

Sec. 3. Section 71-5703, Reissue Revised Statutes of Nebraska, is amended to read:

71-5703. For purposes of ~~sections 71-5701 to 71-5713~~ the Nebraska Clean Indoor Air Act, unless the context otherwise requires, the definitions found in sections 71-5704 to 71-5706 and section 4 of this act shall be used.

Sec. 4. Bar shall mean an establishment where the business is devoted primarily to providing entertainment, dancing, and the sale of alcoholic beverages to the public and not primarily to the service of food. The sale of food shall be less in amount or volume than the sales of alcoholic beverages plus the receipts from entertainment and dancing.

Sec. 9. Section 71-5713, Reissue Revised Statutes of Nebraska, is amended to read:

71-5713. The Department of Health and Human Services Regulation and Licensure, a local board of health, or any affected party may institute an action in any court with jurisdiction to enjoin any violation of ~~section 71-5707~~ the Nebraska Clean Indoor Air Act.'.

3. On page 3, reinstate beginning with 'other' in line 21 through 'bar' in line 22; in line 24 reinstate 'If a bar'; and reinstate beginning with 'is' in line 25 through line 27.

4. On page 4, line 5, strike '2000' and insert '2001'; in line 12 after 'sections' insert '71-5701, 71-5702, 71-5703,'; and in lines 12 and 13 strike 'and 71-5710' and insert '71-5710, and 71-5713'.".

2. Renumber the remaining amendment accordingly.

ANNOUNCEMENT

Senator Wickersham announces the Revenue Committee will hold an executive session Wednesday, January 12, 2000, at 1:00 p.m., in Room 1524.

NOTICE OF COMMITTEE HEARINGS
Revenue

LB 968	Wednesday, January 19, 2000	1:30 p.m.
LB 895	Wednesday, January 19, 2000	1:30 p.m.
LB 1006	Wednesday, January 19, 2000	1:30 p.m.
LB 1036	Wednesday, January 19, 2000	1:30 p.m.
LB 1073	Wednesday, January 19, 2000	1:30 p.m.
LB 1039	Wednesday, January 19, 2000	1:30 p.m.
LB 945	Wednesday, January 19, 2000	1:30 p.m.
LB 1066	Thursday, January 20, 2000	1:30 p.m.
LB 944	Thursday, January 20, 2000	1:30 p.m.
LB 942	Thursday, January 20, 2000	1:30 p.m.
LB 947	Thursday, January 20, 2000	1:30 p.m.
LB 967	Thursday, January 20, 2000	1:30 p.m.
LB 1042	Thursday, January 20, 2000	1:30 p.m.
LB 1043	Thursday, January 20, 2000	1:30 p.m.
LB 949	Thursday, January 20, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1218. Introduced by Landis, 46; Cudaback, 36; Price, 26.

A BILL FOR AN ACT relating to Motor Vehicle Safety Responsibility Act; to amend sections 60-312, 60-321, 60-501, 60-502, 60-504, 60-511, 60-512, 60-513, 60-514, 60-520, 60-523, 60-525, 60-533, 60-536, 60-538, 60-539, 60-540, 60-545, 60-546, 60-547, 60-550, 60-550.01, 60-552, 60-553, 60-554, 60-555, 60-556, 60-558, 60-560, 60-565, 60-567, 60-568, 60-569, and 60-1515, Reissue Revised Statutes of Nebraska, and section 60-302, Revised Statutes Supplement, 1999; to provide for operator's license, motor vehicle registration, and license plate suspension as prescribed; to define terms; to create the motor vehicle insurance identification data base program; to provide duties for insurance companies; to provide penalties; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1219. Introduced by Appropriations Committee: Wehrbein, 2, Chairperson; Beutler, 28; Brown, 6; Crosby, 29; Engel, 17; Kiel, 9; Matzke, 47; D. Pederson, 42.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Property Assessment and Taxation.

LEGISLATIVE BILL 1220. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to water wells; to amend section 46-1201, Reissue Revised Statutes of Nebraska; to exempt natural resources district employees from certain certification requirements; and to repeal the original section.

LEGISLATIVE BILL 1221. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to workers' compensation; to amend sections 44-5016, 48-118, 48-122.01, 48-124, 48-128, 48-144.04, 48-155, 48-162.02, 48-174, 48-179, 48-195, 48-196, and 48-1,107, Reissue Revised Statutes of Nebraska, and section 48-162.01, Revised Statutes Supplement, 1999; to create, eliminate, and transfer funds; to change the age of majority, service, and review provisions; to eliminate certain duties; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1222. Introduced by Vrtiska, 1; Aguilar, 35; Baker, 44; Beutler, 28; Bohlke, 33; Bromm, 23; Byars, 30; Connealy, 16; Coordsen, 32; Cudaback, 36; Dickey, 18; Dierks, 40; Engel, 17; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Kristensen, 37; Matzke, 47; Raikes, 25; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to economic development; to adopt the Value-Added Partnerships Act; and to provide a termination date.

LEGISLATIVE BILL 1223. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend section 77-2734.03, Revised Statutes Supplement, 1998, and sections 77-5203 to 77-5205 and 77-5209 to 77-5211, Revised Statutes Supplement, 1999; to change provisions relating to qualification for tax credits, reports, and board members; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1224. Introduced by Crosby, 29; Bohlke, 33; Hartnett, 45; Kiel, 9; Robak, 22; Thompson, 14; Tyson, 19.

A BILL FOR AN ACT relating to appropriations; to state intent; and to appropriate funds to the Nebraska Library Commission.

LEGISLATIVE BILL 1225. Introduced by Lynch, 13; Bohlke, 33;

Bromm, 23; Byars, 30; Chambers, 11; Dickey, 18; Dierks, 40; Jones, 43; Landis, 46; Price, 26; Quandahl, 31; Robak, 22; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to medical care; to adopt the Traumatic or Acquired Brain Injury Act.

LEGISLATIVE BILL 1226. Introduced by Thompson, 14; Bohlke, 33; Price, 26; Suttle, 10.

A BILL FOR AN ACT relating to teachers; to create the Master Teacher Program; to provide for certification; to provide for awards; to provide for rules and regulations; and to declare an emergency.

LEGISLATIVE BILL 1227. Introduced by Thompson, 14; Bohlke, 33; Hartnett, 45; Matzke, 47; Price, 26; Schrock, 38; Suttle, 10.

A BILL FOR AN ACT relating to teachers; to adopt the Attracting Excellence to Teaching Program Act.

LEGISLATIVE BILL 1228. Introduced by Thompson, 14; Bohlke, 33; Price, 26; Schrock, 38.

A BILL FOR AN ACT relating to colleges and universities; to state intent; to define terms; to create a scholarship program; to provide for funding; to provide duties; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducers

Senator Preister asked unanimous consent to have his name added as cointroducer to LB 1024. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 936. No objections. So ordered.

Senator Bromm asked unanimous consent to have his name added as cointroducer to LB 1044. No objections. So ordered.

RECESS

At 11:59 a.m., on a motion by Senator Suttle, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Crosby and Dw. Pedersen who were excused; and Senators Bohlke, Brashear, Bromm, Coordsen, Cudaback, Dierks, Hartnett, Kristensen, Lynch, Matzke, Price, Raikes, Redfield, Robak, and Wickersham who were excused until they arrive.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

LB 933	Wednesday, January 19, 2000	1:30 p.m.
LB 1126	Wednesday, January 19, 2000	1:30 p.m.
LB 956	Wednesday, January 19, 2000	1:30 p.m.
LB 1021	Wednesday, January 19, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 292.

GENERAL FILE

LEGISLATIVE BILL 505. Senator Beutler withdrew his amendment, FA261, found on page 262.

The Landis pending amendment, AM2018, found on page 235 and considered on page 262, was renewed.

Senator Landis moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator Landis requested a roll call vote on his amendment.

Voting in the affirmative, 23:

Aguilar	Beutler	Brown	Byars	Chambers
Connealy	Dickey	Jensen	Kiel	Kremer
Landis	Matzke	Pederson, D.	Preister	Price
Raikes	Redfield	Schimek	Stuhr	Suttle
Thompson	Vrtiska	Wehrbein		

Voting in the negative, 20:

Baker	Bourne	Bromm	Bruning	Coordsen
Engel	Hartnett	Hilgert	Hudkins	Janssen
Jones	Kristensen	Lynch	Quandahl	Robak
Schmitt	Schrock	Smith	Tyson	Wickersham

Excused and not voting, 6:

Bohlke Brashear Crosby Cudaback Dierks
Pedersen, Dw.

The Landis amendment lost with 23 ayes, 20 nays, and 6 excused and not voting.

The Chair declared the call raised.

Senator Price moved to indefinitely postpone LB 505.

Laid over.

UNANIMOUS CONSENT - Member Excused

Senator Matzke asked unanimous consent to be excused until he returns. No objections. So ordered.

NOTICE OF COMMITTEE HEARING
General Affairs

Monday, January 24, 2000 1:30 p.m.
State Electrical Board
James Dietz
Riley George
Nebraska Arts Council
R. Paul Sjulin

LB 973	Monday, January 24, 2000	1:30 p.m.
LB 975	Monday, January 24, 2000	1:30 p.m.
LB 977	Monday, January 24, 2000	1:30 p.m.
LB 979	Monday, January 24, 2000	1:30 p.m.
LR 289CA	Monday, January 24, 2000	1:30 p.m.

(Signed) Ray Janssen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 480. Considered.

Senator Schimek asked unanimous consent to replace her pending amendment, AM1503, found on page 1747, First Session, 1999, with a substitute amendment. No objections. So ordered.

Senator Schimek withdrew her amendment, AM1503, found on page 1747, First Session, 1999 .

Senator Schimek renewed her substitute pending amendment, AM1749, found on page 2026, First Session, 1999.

Senator Tyson offered the following amendment to the Schimek pending amendment:
AM1785

(Amendments to AM1749)

1. On page 4, line 12, strike "shall" and insert "may".

2. On page 5, line 12, strike "requires" and insert "allows"; in line 15 after the period insert "The services, policy, advocacy, and education performed by or through the Women's Health Initiative of Nebraska shall be provided, developed, or conducted in a manner consistent with the state's interests in favoring childbirth over abortion."; and strike beginning with "pay" in line 16 through "services" in line 17 and insert "be paid or granted to organizations or affiliates of organizations which perform, promote, or refer for abortions".

Senator Chambers requested a division of the question on the Tyson amendment.

The Chair sustained the division of the question.

The first Tyson amendment, to the Schimek pending amendment, is as follows:
FA262
(Amendments to AM1749)

1. On page 4, line 12, strike "shall" and insert "may".

SPEAKER KRISTENSEN PRESIDING

Senator Tyson moved for a call of the house. The motion prevailed with 21 ayes, 2 nays, and 26 not voting.

The first Tyson amendment lost with 10 ayes, 25 nays, 10 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

The second Tyson amendment, to the Schimek pending amendment, is as follows:
FA263
(Amendments to AM1749)

2. On page 5, line 12, strike "requires" and insert "allows";

Senators Beutler, Coordsen, and Robak asked unanimous consent to be excused. No objections. So ordered.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1229. Introduced by Brashear, 4; Quandahl, 31.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1558, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment of wages; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1230. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-324 and 77-27,144, Reissue Revised Statutes of Nebraska; to provide for allocation of certain local sales tax revenue; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1231. Introduced by Brown, 6.

A BILL FOR AN ACT relating to children; to amend sections 43-2505, 43-2620, and 71-1917, Revised Statutes Supplement, 1999; to change a council; to eliminate certain committees; to provide and transfer powers and duties; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-2506 and 43-2611 to 43-2614, Reissue Revised Statutes of Nebraska, and sections 43-2610 and 43-2615, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1232. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for Chadron State College building construction; and to declare an emergency.

LEGISLATIVE BILL 1233. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to state intent; to provide an appropriation for the veteran cemetery system; and to declare an emergency.

LEGISLATIVE BILL 1234. Introduced by Schrock, 38; Aguilar, 35; Baker, 44; Beutler, 28; Bohlke, 33; Bourne, 8; Bromm, 23; Bruning, 3; Byars, 30; Connealy, 16; Coordsen, 32; Cudaback, 36; Dickey, 18; Hartnett, 45; Hudkins, 21; Janssen, 15; Jensen, 20; Jones, 43; Kiel, 9; Kremer, 34; Kristensen, 37; Lynch, 13; D. Pederson, 42; Preister, 5; Price, 26; Robak, 22; Schimek, 27; Schmitt, 41; Smith, 48; Stuhr, 24; Thompson, 14; Tyson, 19; Vrtiska, 1; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to the environment; to improve air quality by reducing carbon monoxide emissions; to establish a renewable fuel content standard for gasoline sold in Nebraska; to provide exceptions to the standard; to provide an operative date; and to outright repeal section 66-1225, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1235. Introduced by Smith, 48.

A BILL FOR AN ACT relating to cities and villages; to amend section 19-4801, Revised Statutes Supplement, 1998; to change provisions relating to the issuance of citations for violations of codes; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1236. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Quality Education Accountability Act; to amend section 79-758, Revised Statutes Supplement, 1999; to change provisions relating to qualifications for incentive payments; and to repeal the original section.

LEGISLATIVE BILL 1237. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,268, Reissue Revised Statutes of Nebraska; to change a penalty relating to the use of child passenger restraint and occupant protection systems; and to repeal the original section.

LEGISLATIVE BILL 1238. Introduced by Bromm, 23; Hudkins, 21; D. Pederson, 42; Quandahl, 31; Smith, 48; Wickersham, 49.

A BILL FOR AN ACT relating to certain cities and villages; and to eliminate bond requirements as prescribed.

LEGISLATIVE BILL 1239. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to state highways; to amend section 39-1345.01, Reissue Revised Statutes of Nebraska; to change provisions relating to contractor liability; and to repeal the original section.

LEGISLATIVE BILL 1240. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-134, Reissue Revised Statutes of Nebraska; to change the effective date of commission orders during the pendency of an appeal; and to repeal the original section.

LEGISLATIVE BILL 1241. Introduced by Smith, 48.

A BILL FOR AN ACT relating to gambling; to amend sections 9-1,101, 83-162.04, and 83-162.06, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Supplement, 1999; to change provisions relating to the Compulsive Gamblers Assistance Fund; to provide for transfers; to provide duties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

EXPLANATION OF VOTE

Had I been present, I would have voted "no" on the Landis amendment, AM2018, to LB 505.

(Signed) Ardyce Bohlke

NOTICE OF COMMITTEE HEARING
Natural Resources

LB 1112	Thursday, January 20, 2000	1:30 p.m.
LB 939	Thursday, January 20, 2000	1:30 p.m.
LB 904	Thursday, January 20, 2000	1:30 p.m.

Thursday, January 20, 2000 1:30 p.m.
Environmental Quality Council
Robert E. Bettger
Nebraska Ethanol Board
Dave Hilferty
Game and Parks Commission
Randall Stinnette
Marvin Westcott

(Signed) Edward J. Schrock, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Bromm asked unanimous consent to have his name added as cointroducer to LB 1021. No objections. So ordered.

Senator Schrock asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

Senator Stuhr asked unanimous consent to have her name added as cointroducer to LB 1018. No objections. So ordered.

VISITORS

The Doctor of the Day was Dr. Timothy Zimmerman from Lincoln.

ADJOURNMENT

At 4:21 p.m., on a motion by Senator D. Pederson, the Legislature adjourned until 9:00 a.m., Thursday, January 13, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTH DAY - JANUARY 13, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 13, 2000

PRAYER

The prayer was offered by Pastor Dale Marples, Love and Grace Family Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:02 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Crosby and Dickey who were excused; and Senators Byars, Hartnett, Kiel, and Landis who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills:

LB/LR	**Committee**
LB 1174	General Affairs
LB 1175	Appropriations
LB 1176	Banking, Commerce and Insurance
LB 1177	Banking, Commerce and Insurance
LB 1178	Nebraska Retirement Systems
LB 1179	Government, Military and Veterans Affairs
LB 1180	Revenue
LB 1181	Banking, Commerce and Insurance
LB 1182	Urban Affairs
LB 1183	Urban Affairs
LB 1184	Natural Resources

LB 1185	Appropriations
LB 1186	Transportation and Telecommunications
LB 1187	Revenue
LB 1188	Revenue
LB 1189	Health and Human Services
LB 1190	Government, Military and Veterans Affairs
LB 1191	Government, Military and Veterans Affairs
LB 1192	Nebraska Retirement Systems
LB 1193	Revenue
LB 1194	Health and Human Services
LB 1195	Health and Human Services
LB 1196	Government, Military and Veterans Affairs
LB 1197	Banking, Commerce and Insurance
LB 1198	Urban Affairs
LB 1199	Government, Military and Veterans Affairs
LB 1200	Nebraska Retirement Systems
LB 1201	Judiciary
LB 1202	Judiciary
LB 1203	Judiciary
LB 1204	Judiciary

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARINGS
Education

LB 1003	Monday, January 24, 2000	1:30 p.m.
LB 1010	Monday, January 24, 2000	1:30 p.m.
LB 1054	Monday, January 24, 2000	1:30 p.m.

Monday, January 24, 2000 1:15 p.m.
Board of Educational Lands and Funds
M. Jane Keller

(Signed) Ardyce L. Bohlke, Chairperson

Banking, Commerce and Insurance

LB 917	Monday, January 24, 2000	1:30 p.m.
LB 918	Monday, January 24, 2000	1:30 p.m.
LB 1062	Monday, January 24, 2000	1:30 p.m.
LB 1068	Monday, January 24, 2000	1:30 p.m.
LB 1084	Monday, January 24, 2000	1:30 p.m.

(Signed) David M. Landis, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 12, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris – Lincoln; Nebraska Fertilizer and Ag Chemical Institute; Omaha Housing Authority; Omaha Police Union, Local 101
Alberts, Dan – Lincoln; American Corn Growers Association
Anderson, Robert L. – Lincoln; Anderson Management Services, Inc.; Nebraska Fertilizer & Ag-Chemical Institute, Inc.
Anderson, Shannon – Kansas City, MO; Health Insurance Association of America; Merck & Company, Human Health Division
Barnett, Linda – Lincoln; YMCA's of Nebraska
Cutshall & Associates – Lincoln; Nebraska Manufactured Housing Association
Goc, John J. – Lincoln; Nebraska Keno Operators
Licht, Alice – Lincoln; Anderson Management Services, Inc.; Automotive Recycling Industry of Nebraska; Nebraska Coalition for Interior Designers; Nebraska Fertilizer & Ag-Chemical, Inc.; Nebraska Hotel & Motel Association, Inc.; Nebraska State Pest Control Association
O'Hara and Associates, Inc. – Lincoln; Nebraska Association of Independent Ambulatory Centers
Remington, S. June – Lincoln; Nebraska Association of Health Underwriters
Scarpello, Sam M. – Beaver Lake; Nebraska State Council of Electrical Workers; Nebraska State Utility Workers Conference; Omaha Building & Construction Trade's Council; Omaha Federation of Labor
Schmit Industries, Inc. – Lincoln; Nebraska Chiropractic Physicians Association
Skochdopole, Robert A. – Omaha; Joslyn Art Museum
Tideman, David R. – Bloomington; State Farm Insurance Companies
Warth, Terry – Lincoln; Nebraska Public Power District
Welsch, Mark E. – Omaha; GASP-Group to Alleviate Smoking Pollution

ANNOUNCEMENT

Senator Jensen announces the Health and Human Services Committee will hold an executive session Thursday, January 13, 2000, at 11:30 a.m., in Room 2022.

GENERAL FILE

LEGISLATIVE BILL 480. The second Tyson pending amendment, FA263, found on page 269, to the Schimek pending amendment, AM1749, found on page 2026, First Session, 1999, was renewed.

Senator Tyson moved for a call of the house. The motion prevailed with 16 ayes, 0 nays, and 33 not voting.

Senator Tyson requested a roll call vote on his amendment.

Voting in the affirmative, 9:

Baker Dierks Engel Hilgert Jones
Kremer Redfield Smith Tyson

Voting in the negative, 24:

Aguilar Beutler Bohlke Bourne Brashear
Bromm Brown Bruning Chambers Connealy
Coordsen Cudaback Hudkins Janssen Kristensen
Lynch Matzke Price Raikes Robak
Schimek Suttle Thompson Wickersham

Present and not voting, 10:

Jensen Pedersen Dw. Pederson D. Preister Quandahl
Schmitt Schrock Stuhr Vrtiska Wehrbein

Excused and not voting, 6:

Byars Crosby Dickey Hartnett Kiel
Landis

The second Tyson amendment lost with 9 ayes, 24 nays, 10 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senators Schrock, Hilgert, Quandahl, and Janssen asked unanimous consent to be excused until they return. No objections. So ordered.

The third Tyson amendment, to the Schimek pending amendment, is as follows:
FA264

(Amendments to AM1749)

in line 15 after the period insert "The services, policy, advocacy, and education performed by or through the Women's Health Initiative of Nebraska shall be provided, developed, or conducted in a manner consistent with the state's interests in favoring childbirth over abortion."

Senator Tyson moved for a call of the house. The motion prevailed with 13 ayes, 1 nay, and 35 not voting.

The third Tyson amendment lost with 17 ayes, 21 nays, 5 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

The fourth Tyson amendment, to the Schimek pending amendment, is as follows:
FA265

(Amendments to AM1749)

; and strike beginning with "pay" in line 16 through "services" in line 17 and insert "be paid or granted to organizations or affiliates of organizations which perform, promote, or refer for abortions".

Senator Tyson moved for a call of the house. The motion prevailed with 13 ayes, 0 nays, and 36 not voting.

The fourth Tyson amendment lost with 14 ayes, 21 nays, 7 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

The Schimek pending amendment, AM1749, was adopted with 29 ayes, 1 nay, 12 present and not voting, and 7 excused and not voting.

Senator Tyson withdrew his amendment, AM1597, found on page 1811, First Session, 1999.

Senator Schimek moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Schimek requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 27:

Aguilar Beutler Bohlke Bourne Bromm
Brown Bruning Byars Chambers Connealy
Cudaback Janssen Kiel Kristensen Landis
Lynch Matzke Price Raikes Robak
Schimek Schmitt Schrock Stuhr Suttle
Thompson Wickersham

Voting in the negative, 15:

Baker Brashear Coordsen Engel Hartnett
Hudkins Jensen Jones Kremer Pederson, D.

Redfield Smith Tyson Vrtiska Wehrbein

Present and not voting, 2:

Pedersen, Dw. Preister

Excused and not voting, 5:

Crosby Dickey Dierks Hilgert Quandahl

Advanced to E & R for review with 27 ayes, 15 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 480A. Title read. Considered.

Senator Schimek moved for a call of the house. The motion prevailed with 21 ayes, 0 nays, and 28 not voting.

Senator Schimek requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar Beutler Bohlke Bourne Bruning
Byars Chambers Connealy Coordsen Cudaback
Janssen Kiel Kristensen Landis Matzke
Price Raikes Robak Schimek Schmitt
Schrock Stuhr Suttle Thompson Wickersham

Voting in the negative, 12:

Baker Brashear Engel Jensen Jones
Kremer Pedersen, Dw. Pederson, D. Redfield Smith
Tyson Wehrbein

Present and not voting, 8:

Bromm Brown Hartnett Hudkins Lynch
Preister Quandahl Vrtiska

Excused and not voting, 4:

Crosby Dickey Dierks Hilgert

Advanced to E & R for review with 25 ayes, 12 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senators Bruning, Connealy, Bohlke, and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1242. Introduced by Crosby, 29; Beutler, 28; Landis, 46.

A BILL FOR AN ACT relating to Centennial Mall; to appropriate funds for Centennial Mall improvements; to provide duties; and to declare an emergency.

LEGISLATIVE BILL 1243. Introduced by Bohlke, 33; Cudaback, 36; Engel, 17; Hudkins, 21; Lynch, 13; Matzke, 47; D. Pederson, 42; Price, 26; Raikes, 25; Robak, 22; Schimek, 27; Stuhr, 24; Suttle, 10; Thompson, 14; Wickersham, 49.

A BILL FOR AN ACT relating to the Special Education Act; to amend section 79-1115, Revised Statutes Supplement, 1998, and section 79-1145, Revised Statutes Supplement, 1999; to redefine a term; to change provisions relating to reimbursement; and to repeal the original sections.

LEGISLATIVE BILL 1244. Introduced by Bohlke, 33; Aguilar, 35; Janssen, 15.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1505.04, Reissue Revised Statutes of Nebraska; to change provisions relating to emission fees; to eliminate obsolete provisions; and to repeal the original section.

LEGISLATIVE BILL 1245. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to postsecondary education; to state intent; and to provide for development of a student information tracking system.

LEGISLATIVE BILL 1246. Introduced by Robak, 22; Schmitt, 41.

A BILL FOR AN ACT relating to schools; to amend section 79-234, Reissue Revised Statutes of Nebraska, and section 79-473, Revised Statutes Supplement, 1998; to change provisions relating to annexation; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1247. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for expansion of the Agriculture Hall facility at State Fair Park; and to declare an emergency.

LEGISLATIVE BILL 1248. Introduced by Dierks, 40; Kremer, 34.

A BILL FOR AN ACT relating to medicare supplement insurance; to amend sections 44-3602 to 44-3604 and 44-3607, Reissue Revised Statutes of Nebraska; to change eligibility requirements as prescribed; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARINGS

Natural Resources

LB 999	Friday, January 21, 2000	1:30 p.m.
LB 1000	Friday, January 21, 2000	1:30 p.m.
LB 1040	Friday, January 21, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Revenue

LB 1031	Friday, January 21, 2000	1:30 p.m.
LB 1055	Friday, January 21, 2000	1:30 p.m.
LB 1138	Friday, January 21, 2000	1:30 p.m.
LB 928	Friday, January 21, 2000	1:30 p.m.
LB 1048	Friday, January 21, 2000	1:30 p.m.
LB 1188	Friday, January 21, 2000	1:30 p.m.
LB 936	Wednesday, January 26, 2000	1:30 p.m.
LB 1045	Wednesday, January 26, 2000	1:30 p.m.
LB 1046	Wednesday, January 26, 2000	1:30 p.m.
LB 1047	Wednesday, January 26, 2000	1:30 p.m.
LB 1117	Wednesday, January 26, 2000	1:30 p.m.
LB 925	Thursday, January 27, 2000	1:30 p.m.
LB 1088	Thursday, January 27, 2000	1:30 p.m.
LB 987	Thursday, January 27, 2000	1:30 p.m.
LB 943	Thursday, January 27, 2000	1:30 p.m.
LB 955	Thursday, January 27, 2000	1:30 p.m.
LB 1072	Thursday, January 27, 2000	1:30 p.m.
LB 1155	Thursday, January 27, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

Judiciary

LB 974	Thursday, January 20, 2000	1:30 p.m.
LB 1030	Thursday, January 20, 2000	1:30 p.m.
LB 1059	Thursday, January 20, 2000	1:30 p.m.
LB 1093	Thursday, January 20, 2000	1:30 p.m.
LB 1096	Thursday, January 20, 2000	1:30 p.m.

LB 984	Friday, January 21, 2000	1:30 p.m.
LB 989	Friday, January 21, 2000	1:30 p.m.
LB 1008	Friday, January 21, 2000	1:30 p.m.
LB 1085	Friday, January 21, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

Business and Labor

LB 1007	Monday, January 24, 2000	1:30 p.m.
LB 897	Monday, January 24, 2000	1:30 p.m.
LB 915	Monday, January 24, 2000	1:30 p.m.
LB 1123	Monday, January 24, 2000	1:30 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

REPORTS

The following reports were received by the Legislature:

Administrative Services
Annual Budgetary Report

Agriculture, Department of
Current Good Manufacturing Practice in Manufacturing, Packing, or Holding Human Food Report

Auditor of Public Accounts
Nebraska Department of Correctional Services – FY 98
Nebraska Educational Telecommunications Commission – FY 99
Nebraska Department of Environmental Quality Report - 6/30/99
Nebraska Department of Environmental Quality – Clean Water State Revolving Fund – FY 98
Nebraska Department of Environmental Quality – Low Level Radioactive Waste Program Report – 7/1/86 – 6/30/99
Nebraska Health and Human Services System – Emergency Medical Services Advisory Letter – FY 98
Nebraska Health and Human Services – Program 424 – Developmental Disability Aid – FY 98
Nebraska Lottery – FY 99
Nebraska Natural Resources Commission – FY 99
Nebraska Public Service Commission – FY 99
Nebraska Department of Revenue – Cigarette Tax Receipts – FY 99
Nebraska State Fire Marshal – FY 99
Nebraska Volunteer Service Commission – FY 98
University of Nebraska – FY 99
Wayne State College – FY 99
Chadron State College – FY 99
Peru State College – FY 99

Energy Office, Nebraska
Municipal Natural Gas Regulation Revolving Loan Fund Quarterly Report ending December 31, 1999

Environmental Quality, Department of
Livestock Waste Management Annual Report

Health and Human Services System, Nebraska
State Disbursement Unit update on child support payments

Investment Finance Authority, Nebraska (NIFA)
1999 Series E Single Family Housing Revenue Bonds
1999 Series G.O.-8 General Obligation Bonds

Legislative Program Evaluation Committee
Nebraska Ethanol Board Final Committee Report

Secretary of State, Office of the
Business Entities Report on Agricultural Activities

University of Nebraska
Progress Report on Increasing Minority and Women Faculty
Nebraska Research Initiative Progress Report - 1998-99

GENERAL FILE

LEGISLATIVE BILL 419. Senator Coordsen renewed his pending amendment, AM2026, found on page 228.

SPEAKER KRISTENSEN PRESIDING

Senator Preister asked unanimous consent to be excused until he returns. No objections. So ordered.

The Coordsen amendment was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1249. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,298, Reissue Revised Statutes of Nebraska; to change permit provisions relating to size, weight, and load; and to repeal the original section.

LEGISLATIVE BILL 1250. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to insurance; to assure coverage of prostate and colorectal cancer screenings and testing for early detection as prescribed.

LEGISLATIVE BILL 1251. Introduced by Raikes, 25; Redfield, 12; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1784, Reissue Revised Statutes of Nebraska; to require electronic payment of taxes as prescribed; to provide a penalty; and to repeal the original section.

LEGISLATIVE BILL 1252. Introduced by Jensen, 20; Bohlke, 33; Quandahl, 31.

A BILL FOR AN ACT relating to schools; to adopt the Nebraska Schools Construction Alternatives Act.

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

LB 963	Friday, January 21, 2000 (cancel)	1:30 p.m.
LB 1023	Friday, January 21, 2000 (cancel)	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Government, Military and Veterans Affairs

LB 1157	Thursday, January 20, 2000	1:30 p.m.
LB 1170	Thursday, January 20, 2000	1:30 p.m.
LB 1106	Thursday, January 20, 2000	1:30 p.m.
LB 935	Thursday, January 20, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

AMENDMENT - Print in Journal

Senator Lynch filed the following amendment to LB 659:
AM1981

1. Strike original section 4 and insert the following new sections:

"Sec. 8. Section 9-329, Reissue Revised Statutes of Nebraska, is amended to read:

9-329. (1) ~~No sales agent~~ Unless otherwise authorized by the department, no person shall market, sell, or deliver any pickle card unit to any pickle card operator without first obtaining a license as a sales agent.

(2) Any person wishing to operate as a sales agent in this state shall file an application with the department for a license on a form prescribed by the department. Each application for a license shall include (a) the name, address, and social security number of the person applying for the license, (b) the name and state identification number of the licensed organization for which any pickle card units are to be marketed or sold by the applicant, and (c) such other information which the department deems necessary.

A statement signed by the person licensed as a utilization-of-funds member signifying that such licensed organization approves the applicant to act as a sales agent on behalf of such organization shall accompany each sales agent's application for a license. No person licensed as a utilization-of-funds member shall be licensed as a sales agent.

A fee of fifty dollars shall be charged for each license issued pursuant to this section. The department shall remit the proceeds from such fee to the State Treasurer for credit to the Charitable Gaming Operations Fund. Such licenses shall expire on September 30 of each year or such other date which the department may prescribe by rule and regulation and may be renewed annually. An application for license renewal shall be submitted to the department at least forty-five days prior to the expiration date of the license.

(3) The information required by this section shall be kept current. A sales agent shall notify the department within thirty days if any information in the application is no longer correct and shall supply the correct information.

(4) The department may prescribe a separate application form for renewal purposes.

(5) The department may issue a temporary license pending receipt of additional information or further inquiry.

Sec. 27. Section 9-352, Reissue Revised Statutes of Nebraska, is amended to read:

9-352. (1) Except when another penalty is specifically provided, any person or licensee, or employee or agent thereof, who violates any provision of the Nebraska Pickle Card Lottery Act, or who causes, aids, abets, or conspires with another to cause any person or licensee or any employee or agent thereof to violate the act, shall be guilty of a Class I misdemeanor for the first offense and a Class IV felony for any second or subsequent violation. Any licensee guilty of violating any provision of the act more than once in a twelve-month period may have its license canceled or revoked. Such matters may also be referred to any other state licensing agencies for appropriate action.

(2) Each of the following violations of the Nebraska Pickle Card Lottery Act shall be a Class IV felony:

(a) Giving, providing, or offering to give or provide, directly or indirectly, to any public official, employee, or agent of this state, or any agencies or political subdivisions of this state, any compensation or reward or share of the money for property paid or received through gambling activities regulated under Chapter 9 in consideration for obtaining any license, authorization, permission, or privilege to participate in any gaming operations except as authorized under Chapter 9 or any rules and regulations adopted and promulgated pursuant to such chapter;

(b) Making or receiving payment of a portion of the purchase price of pickle cards by a seller of pickle cards to a buyer of pickle cards to induce the purchase of pickle cards or to improperly influence future purchases of pickle cards;

(c) Using bogus, counterfeit, or nonopaque pickle cards, pull tabs, break opens, punchboards, jar tickets, or any other similar card, board, or ticket or substituting or using any pickle cards, pull tabs, or jar tickets that have been marked or tampered with;

(d) Intentionally employing or possessing any device to facilitate cheating in any lottery by the sale of pickle cards or use of any fraudulent scheme or technique in connection with any lottery by the sale of pickle cards when the amount gained or intended to be gained through the use of such items, schemes, or techniques is three hundred dollars or more;

(e) Knowingly filing a false report under the Nebraska Pickle Card Lottery Act;

(f) Knowingly falsifying or making any false entry in any books or records with respect to any transaction connected with the conduct of a lottery by the sale of pickle cards; or

(g) Knowingly selling or distributing or knowingly receiving with intent to sell or distribute pickle cards, ~~or~~ pickle card units, or any pickle card dispensing devices authorized by section 1 of this act without first obtaining a license in accordance with the Nebraska Pickle Card Lottery Act pursuant to section 9-329, 9-329.03, 9-330, or 9-332.

(3) In all proceedings initiated in any court or otherwise under the act, it shall be the duty of the Attorney General and appropriate county attorney to prosecute and defend all such proceedings.

(4) The failure to do any act required by or under the Nebraska Pickle Card Lottery Act shall be deemed an act in part in the principal office of the department. Any prosecution under such act may be conducted in any county where the defendant resides or has a place of business or in any county in which any violation occurred.

(5) In the enforcement and investigation of any offense committed under the act, the department may call to its aid any sheriff, deputy sheriff, or other peace officer in the state.".

2. On page 2, line 2, after "any" insert "coin-operated

or currency-operated"; in lines 3 and 4 strike "or other physical object"; in line 14 after "tokens" insert "nor shall such device accumulate credits for winning pickle cards. No device authorized by this section shall have a top or candle light located on the upper surface of the device, have a handle located on the side of the device which may or may not be pulled, or display at any time spinning reels".

3. On page 3, lines 1 and 4, after "units" insert "or devices authorized by section 1 of this act".

4. On page 4, line 6, strike "electronically" and after "is" insert "electronically"; and in line 8 strike "or other physical object".

5. On page 11, line 23; page 12, line 28; page 15, line 18; page 26, lines 14, 18, and 23; page 27, line 5; page 28, line 23; page 32, line 7; page 33, line 28; page 34, lines 13 and 28; and page 35, lines 7, 12, and 21, before "electronic" insert "physical or".

6. On page 15, line 12, after "organization" insert ", and no pickle card operator shall be obligated to sell individual pickle cards exclusively on behalf of any one licensed organization to the exclusion of all others"; and in line 22 after "value" insert ", and such equipment shall not be purchased, leased, or rented if the purchase, lease, or rental is based upon an obligation requiring such operator to only sell individual pickle cards on behalf of such licensed organization to the exclusion of all others".

7. On page 16, line 19, strike "of pickle cards or pickle card units" and show as stricken.

8. On page 17, line 1, after "operator" insert ", unless otherwise authorized by the department"; and in line 28 strike "and devices".

9. On page 18, line 6, strike "or", show as stricken, and insert an underscored comma; in line 7 strike "or any" and insert ", or"; in line 11 strike the second "or", show as stricken and insert ", or"; in line 12 after "pickle card units" insert ", or pickle card dispensing devices authorized by section 1 of this act"; and in line 13 after "Class II" insert "or Class III".

10. On page 19, line 26, strike "electronic".

11. On page 20, strike beginning with "selling" in line 7 through "state" in line 11 and show the old matter as stricken; and strike beginning with "of" in line 21 through "units" in line 22 and show as stricken.

12. On page 21, lines 5 and 13, after "constructed" insert "or electronically displayed"; in line 16 after "physically" insert "or electronically"; and strike the new matter beginning with "or" in line 16 through "act" in line 17.

13. On page 22, lines 6 and 10, strike "pickle card's tab or tabs", show the old matter as stricken, and insert "pickle cards"; in line 8 strike "tabs", show as stricken, and insert

"pickle cards"; in line 11 strike "tab or tabs", show as stricken, and insert "pickle card"; in line 13 strike "tabs or" and show as stricken; in line 14 strike "tabs," and show the old matter as stricken; and in line 15 strike the underscored comma.

14. On page 23, line 9, strike "or", show as stricken, and insert an underscored comma; in lines 9 through 11 strike the new matter and insert ", or pickle card dispensing device authorized by section 1 of this act"; in lines 13 and 24, after "Class II" insert "or Class III"; in line 15 strike the second "or", show as stricken, and insert an underscored comma; in lines 16 and 17 strike the new matter and insert ", or pickle card dispensing devices authorized by section 1 of this act"; in line 19 strike "No", show as stricken, and insert "Unless authorized by the department, no"; strike the new matter in lines 20 and 21 and insert "or any pickle card dispensing device authorized by section 1 of this act"; and in line 28 after "any" insert "pickle card".

15. On page 25, line 28, strike "Pickle", show as stricken, and insert "Unless otherwise authorized by the department, pickle" and strike "by the sales" and show as stricken.

16. On page 26, line 1, strike "agent to the", show as stricken, and insert "to a"; strike beginning with the first "in" in line 1 through the underscored comma in line 3 and insert "only by a sales agent's"; and in line 3 strike the first "or", show as stricken, and insert ", by", after the second "delivery" insert "arranged by a sales agent," and after "mail" insert an underscored comma.

17. On page 30, strike lines 7 through 11.

18. On page 34, line 8, strike "pickle cards or pickle card units", show as stricken, and insert "contraband goods"; and in line 25 strike "or", show as stricken, and insert an underscored comma and after "units" insert ", or coin-operated or currency-operated pickle card dispensing devices for the physical or electronic dispensing of pickle cards".

19. On page 35, line 23, strike "or", show as stricken, and insert an underscored comma and after "units" insert ", or coin-operated or currency-operated pickle card dispensing devices for the physical or electronic dispensing of pickle cards".

20. On page 36, line 11, strike "9-312,"; in line 12 after "9-322," insert "9-329," and in lines 13 and 14 strike "and 9-351," and insert "9-351, and 9-352,".

21. Renumber the remaining sections and correct internal references accordingly.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

LB 1012	Monday, January 24, 2000	1:30 p.m.
LB 1018	Monday, January 24, 2000	1:30 p.m.
LB 1019	Monday, January 24, 2000	1:30 p.m.

LB 1027	Monday, January 24, 2000	1:30 p.m.
LB 1090	Monday, January 24, 2000	1:30 p.m.

(Signed) Curt Bromm, Chairperson

ANNOUNCEMENT

Senator Price designates LB 1243 as her priority bill.

GENERAL FILE

LEGISLATIVE BILL 788. Title read. Considered.

Advanced to E & R for review with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

ATTORNEY GENERAL'S OPINION

Opinion #00004

DATE: January 12, 2000

SUBJECT: Preemption Date for Federal "Livestock Mandatory Reporting Act of 1999" over "Nebraska Competitive Livestock Markets Act"; Delayed Implementation of "Nebraska Competitive Livestock Markets Act"

REQUESTED BY: Merton L. ("Cap") Dierks, Nebraska State Senator

WRITTEN BY: Don Stenberg, Attorney General
William R. Barger, Assistant Attorney General

We have received your request for an opinion on two questions. First, when does preemption of federal livestock price reporting laws over our own state livestock price reporting statute begin and, second, what effect would a change in the implementation date of our state livestock price reporting statute have on the federal livestock price reporting scheme? In response to producer concerns, the 1999 Nebraska Legislature passed the "Nebraska Competitive Livestock Markets Act," which became law immediately after the Governor's signature on May 26, 1999. Neb. Rev. Stat. §§ 54-2601 to 54-2631. Soon after, the United States Congress passed the "Livestock Mandatory Reporting Act of 1999" as Title IX of the Agriculture Appropriations Act, H.R. 1906. Both of these statutory schemes contain requirements for meat packers, including the reporting of prices paid to livestock sellers.

I. Timing of Preemption

Your first question of when the "Nebraska Competitive Livestock Markets Act" is preempted by the Federal "Livestock Mandatory Reporting Act of 1999" relates to pending legislation, namely LB 833, so our office can provide you an opinion upon the effect of changes on the "Nebraska Competitive Livestock Markets Act." The "Nebraska Competitive Livestock Markets Act" (hereinafter "the Nebraska Act") became law on May 26, 1999, as 1999 Neb. Laws LB 835. It had requirements relating to packer ownership of livestock that were operational immediately, while the price discrimination prohibition, contract term requirements and price reporting requirements were not operational until February 15, 2000. Op. Att'y Gen. No. 99028 (July 16, 1999). In November 1999, the Nebraska Department of Agriculture requested an opinion from our office on the preemptive effect of the "Livestock Mandatory Reporting Act of 1999" (hereinafter "the Federal Act") over the Nebraska Act. The Federal Act was signed into law on October 22, 1999, by President Clinton. We essentially stated that the Federal Act's broad preemptive provisions on price reporting directly preempted the Nebraska Act's price reporting requirements. Op. Att'y Gen. No. 99051 (November 30, 1999). Further, the Nebraska Act's price reporting scheme was so integrally related to it's price discrimination and contracting requirements, that the price discrimination and contracting requirements were also preempted. ***Id.*** The prohibition on packer ownership of livestock was not preempted, as the federal law does not address ownership of livestock. ***Id.*** There appears to be some confusion surrounding the timing of preemption by the Federal Act over the State Act.

The United States Department of Agriculture (hereinafter "the USDA") was apparently contacted by members of the U.S. Senate to define the beginning date for preemption of the Federal Act over several state livestock price reporting acts. In response, the USDA General Counsel described the USDA's duties as beginning upon implementation of the Federal Act. The USDA further took the position that state livestock reporting requirements are not preempted until the USDA implements it's own price reporting scheme. If this were true, then the Nebraska Act would require the Nebraska Department of Agriculture to begin collecting data from Nebraska meat packers on February 15, 2000, and creating reports of this data. This state reporting scheme would operate until the Federal Act is implemented by final regulations promulgated by the USDA. Implementation of the federal price reporting scheme should begin around April 20, 2000, according to the required dates for implementation under H.R. 1906, Title IX, § 941. This places the Nebraska Department of Agriculture in the unique position of having a fully operational price reporting system for approximately two months.

The beginning of preemption of the Nebraska Act by the Federal Act must be determined from the language of the Federal Act. The first step is to review Title IX of H.R. 1906 to determine it's enactment and implementation dates. The preemption clause, Section 259, which mentions no specific timing for preemption, is contained in "Chapter 5 - Administration" and states:

> In order to achieve the goals, purposes and objectives of this title on a nationwide basis and to avoid potentially conflicting State laws that could impede the goals, purposes and objectives of this title, no State or political subdivision of a State may impose a requirement that is in addition to, or inconsistent with, any requirement of this subtitle with respect to the submission or reporting of information, or the publication of such information, on the prices and quantities of livestock or livestock products.

H.R. 1906, Title IX, § 259.

While the Federal Act does state an intent to preempt, it should also state when this preemption clause is enacted. H.R. 1906 begins with the phrase "Be it enacted by the Senate and House of Representatives . . . that . . . ." H.R. 1906 Preamble. This phrase is defined to be the "enacting clause" of a statute. *Blacks Law Dictionary 526* (6th. Ed. 1990). This clause signifies the fact the bill becomes law upon the President's signature. "Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States; If he approves it he shall sign it . . ." U.S. Const. Sec. 7, cl. 2. The U.S. Supreme Court has defined the point in time that a law is formed. "The date of the President's approval of a bill is undoubtedly the date at which it became a law." ***Gardner v. Collector***, 73 U.S. 499, 6 Wall 499, 18 L. Ed. 890 (1879). Since President Clinton signed this bill, it's "enactment" occurred when the bill became a law. *Blacks Law Dictionary 526* (6th Ed. 1990). However, other than the enacting clause mentioned, H.R. 1906 does not state any other timing requirements for it's preemption clause under Title IX, § 259. The enactment clause is the beginning of the law's authority, and all sections after it, including § 259, are operational at that point. In defining "enactment," courts have stated that a statute ". . . must be interpreted to indicate a beginning point . . . (the date the President signed the bill into law) from which the Act and its amendments would be operative on events coming within their scope. . ." ***Patterson v. McLean Credit Union***, 784 F.Supp. 268, 274 (M.D. N.C. 1992). Since the enactment clause appears to be the only mention in the Federal Act making the law operational, then the lack of contrary language would confirm operation of the entire law upon enactment. "As in any case of statutory construction, our analysis begins with 'the language of the statute.' And where the statutory language provides a clear answer, it ends there as well." ***Hughes Aircraft Co. v. Jacobson***, 525 U.S. 432, 119 S. Ct. 755, 760, ___ L. Ed. 2d ___ (1999) (citations omitted). The Federal Act's operational sections include § 259.

Since the Federal Act's preemption clause is operational, it must be determined at what point in time this preemption takes effect. The Federal Act's preemptive effect is dependent upon the Supremacy Clause of the U.S. Constitution. U.S. Const. art. VI, cl. 2. "Express preemption occurs when Congress, in enacting a federal statute, announces a clear intent to preempt state law." ***Colorado Public Utilities Com'n v. Harmon***, 951 F.2d 1571, 1576 (10th Cir. 1991), citing ***Jones v. Rath Packing Co.***, 430 U.S. 519, 97 S. Ct. 1305, 51 L. Ed. 2d 604 (1977). Congress' intent to preempt the State Act appears to begin on the enactment date for § 259 of H.R. 1906, Title IX.

The intent to preempt is clear, the § 259 preemption clause was operational upon enactment, but the date at which preemption begins must be determined. The USDA's duties do not begin until price reporting regulations are implemented, at which time ". . . the Secretary of Agriculture shall publish final regulations to implement this title and the amendments made by this title." HR 1906, Title IX., § 941(a). While the USDA's reporting duties won't begin until nearly 180 days past the enactment date, this does not mean that the federal statute does not preempt until the USDA's regulatory duties begin. The Federal Act must specifically state it is delaying preemption.

An analysis of other federal laws shows language for delayed preemption must be expressed, if the intent is to delay implementation and preemption of federal regulatory schemes. In discussing the preemption clause for the former Federal Railroad Safety Act ("FRSA"), now codified at 49 U.S.C.A. § 20106, the 10th Circuit Court of Appeals stated: ". . . we begin our analysis by agreeing with the district court that § 434 of the FRSA states an express preemption of state law. We also agree preemption does not occur until the Secretary adopts a rule, regulation, or standard covering the subject matter of the state law." ***Hatfield v. Burlington Northern R.Co.***, 958 F.2d 320, 321 (10th Cir. 1992). The FRSA expressly allowed the States to continue their own laws until the Secretary of Transportation adopted regulations in that area. In particular, the former FRSA stated:

> . . . The Congress declares that laws, rules, regulations, orders and standards relating to railroad safety shall be nationally uniform to the extent practicable. A State may adopt or continue in force any law, rule, regulation, order or standard relating to railroad safety until such time as the Secretary has a adopted a rule, regulation, order or standard covering the subject matter of such State requirement. . .

45 U.S.C.A. § 434 (Repealed).

The former FRSA stated preemption in this area could not begin until regulations were promulgated to effectuate preemption, as other cases have confirmed. ***Colorado Public Utilities Com'n v. Harmon***, 951 F.2d at 1576. In an analysis of federal statutes on mooring, movement, and safety items for floating vessels, the 9th Circuit determined that similar state safety statutes were not preempted if, and until, the Secretary of Transportation promulgated regulations in that area. ***Beveridge v. Lewis***, 939 F.2d 859, 864 (9th Cir. 1991). But, the court noted, 33 U.S.C.A. § 1225(b) specifically provided that states may impose higher "safety" requirements than federal law required. ***Id.*** The Secretary of Transportation had discretion to regulate under 33 U.S.C.A. § 1223, allowing the agency to determine which areas would be preempted. ***Id.*** In comparison, the price reporting regulations under the Federal Act are not discretionary, as ". . . the Secretary shall publish the final regulations and implement this title . . ." HR 1906, Title IX, § 941(d). This requirement, in tandem with the clear preemption of § 259, indicates Congress was not leaving preemption up to the USDA's discretion. Further, as both ***Beveridge*** and ***Hatfield*** indicate, state statutes regulating the same subject as a federal statute can avoid preemption only if the federal statute allows them to. Unlike the statutes in ***Beveridge*** and ***Hatfield***, HR 1906, Title IX, § 259 specifically prohibits any state law which ". . . impose[s] a requirement that is in addition to, or inconsistent with, any requirement of this subtitle. . . ." Omission of any language allowing the USDA discretion on when it would regulate (and preempt), and no mention of delayed preemption in Title IX show Congress' intent was to preempt completely, not leaving the areas of preemption up to the USDA.

Since preemption is not predicated upon the USDA regulations being issued, then Congress must have specifically provided a mechanism to delay the timing for preemption. "Congress' intent, of course, primarily is discerned from the language of the preemption statute and the 'statutory framework' surrounding it." ***Medtronic Inc. v. Lohr***, 518 U.S. 470, 116 S. Ct. 2240, 135 L. Ed. 2d 700, 716 (1996). The court, as an example, cites language allowing a federal administrative agency to begin regulation, and thereby preempt, in an area that is not specifically preempted by the federal statute. ***Id.*** at 864. The USDA's analysis implies that the state laws may continue until such time as federal regulation begins, but that is not the expressed intent of the federal statute.

> The Court must assume that when Congress acts, it exercises that power and enacts supreme laws. Unless Congress itself specifically and affirmatively limits the reach of its legislation, the Court should presume that Congress is exercising its natural and supreme constitutional powers.

Gills v. Ford Motor Co., 829 F.Supp. 894, 899 (W.D. Ky. 1993). Congress would have put in language stating a delayed preemption effect if that is what it intended, just as it expressly predicated preemption upon an Agency's decision of whether to regulate or not, as described in ***Beveridge*** and ***Hatfield***. It did not do so in HR 1906, Title IX § 259.

Preemption under the Federal Act began upon enactment of H.R. 1906. "Preemption occurs when Congress, in enacting a federal statute, expresses a clear intent to preempt state law." ***Norfolk & Western Ry. Co. v. Public Utilities Com'n of Ohio***, 926 F.2d 567, 569 (6th Circuit 1991), quoting ***Louisiana Public Service Com'n v. FCC***, 476 U.S. 355, 106 S. Ct. 1890, 90 L. Ed. 2d 369 (1986). For the reasons stated above, absence of any statutory language delaying preemption of H.R. 1906, Title IX, requires the Federal Act's provisions be given full effect upon enactment, including § 259.

II. Delayed Implementation of the Nebraska Act

Your second question is what would be the effect of changing the implementation date of the Nebraska Act to some point beyond the likely implementation date of the Federal Act. The Nebraska Act is scheduled to begin its price reporting requirements on February 15, 2000. Neb. Rev. Stat. §§ 54-2613 & 54-2623. This date is prior to the expected implementation date of the Federal Act, which should be in late April, 2000. We are assuming your proposal would amend the implementation date of the Nebraska Act to a date later than the proposed implementation of the Federal Act.

Assuming this later implementation date is allowed by Nebraska law, it could be at some point beyond implementation of the Federal Act, or at some point beyond the termination of the Federal Act. H.R. 1906, Title IX does not last indefinitely. In fact, it states:

> The authority provided by this title and the amendments made by this title terminate 5 years after the date of the enactment of this Act.

HR 1906, Title IX, § 942.

Continuing our assumption Nebraska law would allow such a result, an implementation date of October 23, 2004, for the Nebraska Act would avoid the preemptive authority of the Federal Act. Further, it would continue the regulatory scheme requiring packers to report prices paid after the Federal Act expired. We must turn to the state law requirements on the enactment and implementation dates to verify that this type of amendment would be possible.

For Neb. Rev. Stat. §§ 54-2613 and 54-2623 to have delayed implementation dates, Nebraska law must not require a statute be fully operative upon enactment, i.e. an enacted statute may have sections with delayed operative dates. The Nebraska Constitution requires a law to be effective three months after adjournment of the Legislature, unless the proper "emergency clause" procedures are taken to enact the law immediately upon the Governor's signature. Neb. Const. art. III, § 27. There is no prohibition on a later operative date for a currently enacted statute. The Nebraska Supreme Court has approved enactment of statutes with delayed operative dates. When discussing the city council election statutes passed for "cities of the metropolitan class," the Court rejected the petitioners assertion that an act which had sections with delayed operative dates was unconstitutional, stating:

> It is claimed that the act is objectionable, and repugnant to the above-mentioned section of the constitution, in that different portions of it became operative at different times; that, to fulfill the requirements of the constitution, it must have become of force as a whole at the one date. We do not think the law is open to this attack.

State v. Stuht, 52 Neb. 209, 274, 71 N.W. 941, 944 (1897). The court explains that the law is constitutionally valid if it becomes operative on a fixed date, regardless of some components not being fully operational at the time it is enacted. ***Id.*** With these things in mind, the Legislature has enacted various laws with delayed operation, including the Nebraska Act discussed herein.

We do not foresee any legal challenge of a delayed operation date for Neb. Rev. Stat. §§ 54-2613 and 54-2623 being successful. A delay of the operation of these sections of the Nebraska Act is within the powers granted to the Legislature if the future operation of these sections is based upon a fixed date.

CONCLUSION

In summation, your first question on when the Federal Act preempts the State Act turns on when the preemption clause in H.R. 1906 § 259 became operational, and what preemptive effect that clause was intended to have by Congress. Section 259 became operational upon enactment of the statute by the President's signature in October, 1999. Once operational, the preemptive effect was complete over any additional or inconsistent state price reporting laws. Since no language exists delaying that preemptive effect, preemption of the Nebraska Act occurred a the same time the Federal Act was enacted in October, 1999. The price reporting provisions in the Nebraska Act have been preempted since October, 1999.

As to your second question, on the effect of a change in the implementation date of the State Act, the State reporting requirement could simply be made operational upon the expiration of the Federal Act. Such delayed operation of an enacted statute is permissible under Nebraska law and would clearly avoid the preemptive effect of the Federal Act.

Sincerely,
DON STENBERG
Attorney General
(Signed) William R. Barger
Assistant Attorney General

pc: Patrick J. O'Donnell
Clerk of the Legislature
14-103-11

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1253. Introduced by Crosby, 29; Bohlke, 33; Bruning, 3; Byars, 30; Kristensen, 37.

A BILL FOR AN ACT relating to insurance; to provide requirements for coverage of hospitalization and general anesthesia for dental care.

LEGISLATIVE BILL 1254. Introduced by Wickersham, 49; Schimek, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-4105 and 77-4106, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-3443, Revised Statutes Supplement, 1999; to authorize a local sales and use tax for municipal counties; to authorize creation of municipal counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1255. Introduced by Wickersham, 49; Schimek, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-4105 and 77-4106, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-3443, Revised Statutes Supplement, 1999; to authorize a local sales and use tax for municipal counties; to authorize creation of municipal counties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1256. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to insurance; to adopt the Insurance Compliance Self-Evaluative Privilege Act; to provide a duty for the Revisor of Statutes; and to declare an emergency.

LEGISLATIVE BILL 1257. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to labor; to amend section 81-401, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Workforce Investment Act; to terminate the Nebraska Job Training Act; to harmonize provisions; to provide operative dates; to repeal the original section; to outright repeal sections 48-1601 to 48-1615, Reissue Revised Statutes of Nebraska; and to declare an emergency.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

LB 1143	Friday, January 21, 2000	1:30 p.m.
LB 1083	Friday, January 21, 2000	1:30 p.m.
LB 1128	Friday, January 21, 2000	1:30 p.m.
LB 934	Friday, January 21, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 1241. No objections. So ordered.

Senator Engel asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

VISITORS

Visitors to the Chamber were Jim Lawson from Gering; Lynette Ratzlaff from Lincoln and Amber Ratzlaff from North Newton, Kansas; former Senator Howard Lamb from Anselmo; and Doug Ewald and Nanette Word from Omaha.

ADJOURNMENT

At 11:44 a.m., on a motion by Senator Brashear, the Legislature adjourned until 9:00 a.m., Tuesday, January 18, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTH DAY - JANUARY 18, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 18, 2000

PRAYER

The prayer was offered by Pastor Jose Flores, Zion Lutheran Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Crosby, Matzke, and Vrtiska who were excused; and Senators Bohlke, Hartnett, Kiel, Landis, Lynch, Robak, Schimek, Schrock, and Thompson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventh day was approved.

UNANIMOUS CONSENT – Member Excused

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

ANNOUNCEMENT

The Education Committee designates LB 1213 as its priority bill.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Tuesday, January 25, 2000 1:15 p.m.
Nebraska State Highway Commission
Duane Acklie
Jerome Fagerland

John Kingsbury
Greg Wolford

LB 1075	Tuesday, January 25, 2000	1:15 p.m.
LB 997	Tuesday, January 25, 2000	1:15 p.m.
LB 1020	Tuesday, January 25, 2000	1:15 p.m.
LB 1129	Tuesday, January 25, 2000	1:15 p.m.
LB 1146	Tuesday, January 25, 2000	1:15 p.m.

(Signed) Curt Bromm, Chairperson

MESSAGE FROM THE GOVERNOR

January 13, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Board of Public Roads Classifications and Standards:

APPOINTEE:
Larry Kisby, 2003 North D, Fremont NE 68025

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 284, 285, 288, and 290 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 284, 285, 288, and 290.

GENERAL FILE

LEGISLATIVE BILL 383. Title read. Considered.

The Standing Committee amendment, AM0428, found on page 658, First Session, 1999, was considered.

Senator Wickersham renewed his pending amendment, AM1951, found on page 175, to the Standing Committee amendment.

SENATOR CUDABACK PRESIDING

Senator Hilgert asked unanimous consent to be excused until he returns. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

Senator Bromm asked unanimous consent to be excused until he returns. No objections. So ordered.

The Wickersham amendment lost with 8 ayes, 18 nays, 16 present and not voting, and 7 excused and not voting.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1258. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2717, Reissue Revised Statutes of Nebraska; to change a funding limitation; to repeal the original section; and to declare and emergency.

LEGISLATIVE BILL 1259. Introduced by Landis, 46; Beutler, 28; Schimek, 27.

A BILL FOR AN ACT relating to appropriations; to state intent; to appropriate funds for certain agreements under the Interlocal Cooperation Act as prescribed; to provide powers and duties; and to declare an emergency.

LEGISLATIVE BILL 1260. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1343, 77-1346 to 77-1348, and 77-1371, Reissue Revised Statutes of Nebraska, sections 77-1344, 77-1345, 77-1381, and 77-5023, Revised Statutes Supplement, 1998, and section 79-1016, Revised Statutes Supplement, 1999; to change greenbelt valuation provisions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1261. Introduced by Byars, 30.

A BILL FOR AN ACT relating to dentistry; to amend sections 71-133, 71-183.02, 71-193.04, and 71-193.16, Revised Statutes Supplement, 1999; to change provisions relating to testing and dental hygienists; to provide for applicability; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1262. Introduced by Byars, 30.

A BILL FOR AN ACT relating to hazardous materials emergencies; to provide funding for regional response teams; to state findings and intent; to create a fund; and to provide powers and duties.

LEGISLATIVE BILL 1263. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to appropriations; to amend sections 77-27,136 and 85-1537, Reissue Revised Statutes of Nebraska, and section 77-27,137, Revised Statutes Supplement, 1998; to change provisions relating to state aid to political subdivisions; and to repeal the original sections.

LEGISLATIVE BILL 1264. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Nebraska Comprehensive Community Mental Health Services Act; to amend sections 71-5003, 71-5004, 71-5006, and 71-5009, Reissue Revised Statutes of Nebraska; to change provisions relating to programs and services; to require competitive bidding; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1265. Introduced by Schrock, 38; Cudaback, 36; Janssen, 15; Kristensen, 37.

A BILL FOR AN ACT relating to the Lieutenant Governor; to amend sections 32-615, 32-619, 32-627, 32-1036, 32-1102, 32-1122, 32-1603, 32-1604, 32-1608, and 32-1611, Reissue Revised Statutes of Nebraska, and sections 32-813 and 32-1005, Revised Statutes Supplement, 1999; to provide for the candidate for Governor to select the nominee for Lieutenant Governor of the same political party; to change provisions relating to filing for office, write-in candidates, vacancies, counting and canvassing votes, election contests, recounts, and campaign finance limitations; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1266. Introduced by Bourne, 8.

A BILL FOR AN ACT relating to the Environmental Trust Act; to amend sections 81-15,168 and 81-15,176, Reissue Revised Statutes of Nebraska; to provide for environmental contaminant abatement assistance and limitations; and to repeal the original sections.

LEGISLATIVE BILL 1267. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to insurance; to require coverage for adopted children.

LEGISLATIVE BILL 1268. Introduced by Kremer, 34.

A BILL FOR AN ACT relating to motor vehicle industry licensing; to amend section 60-1401.02, Reissue Revised Statutes of Nebraska, and section 60-1406, Revised Statutes Supplement, 1999; to define and redefine terms; to change provisions relating to motor vehicle and trailer dealers; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1269. Introduced by Connealy, 16; Bourne, 8; Bromm, 23; Kristensen, 37; Matzke, 47; Quandahl, 31.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Court; to amend section 48-153, Reissue Revised Statutes of Nebraska; to change provisions relating to judges of the court; and to repeal the original section.

LEGISLATIVE BILL 1270. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.10, Reissue Revised Statutes of Nebraska; to exempt certain meals from sales tax; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1271. Introduced by Landis, 46.

A BILL FOR AN ACT relating to public funds; to amend section 77-2386, Reissue Revised Statutes of Nebraska, and section 77-2387, Revised Statutes Supplement, 1998; to change provisions relating to the deposit of public funds; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1272. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend sections 79-255, 79-257 to 79-265, 79-267 to 79-270, 79-273, 79-274, 79-282 to 79-291, and 79-2,105, Reissue Revised Statutes of Nebraska, sections 79-256 and 79-266, Revised Statutes Supplement, 1998, and sections 79-254 and 79-266.01, Revised Statutes Supplement, 1999; to rename the act; to change provisions relating to removal of students; to provide for discipline for non-school-related events as prescribed; to provide for behavioral counseling as prescribed; to provide for teacher access to student disciplinary files; to provide duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1273. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 90-404, Reissue Revised Statutes of Nebraska; to authorize acceptance of a gift of real estate; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1274. Introduced by Bohlke, 33; Hudkins, 21; Redfield, 12; Robak, 22; Schimek, 27; Stuhr, 24; Suttle, 10.

A BILL FOR AN ACT relating to public health and welfare; to provide for child care assistance; and to provide duties for the Department of Health and Human Services.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 884. Placed on Select File.
LEGISLATIVE BILL 885. Placed on Select File.
LEGISLATIVE BILL 886. Placed on Select File.
LEGISLATIVE BILL 887. Placed on Select File.
LEGISLATIVE BILL 888. Placed on Select File.
LEGISLATIVE BILL 889. Placed on Select File.
LEGISLATIVE BILL 890. Placed on Select File.
LEGISLATIVE BILL 891. Placed on Select File.
LEGISLATIVE BILL 892. Placed on Select File.

LEGISLATIVE BILL 893. Placed on Select File as amended.
E & R amendment to LB 893:
AM7159
1. On page 2, line 18, insert an underscored comma after "as" and "to"; and in line 26 strike the first comma and show as stricken.

LEGISLATIVE BILL 894. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORT
Natural Resources

LEGISLATIVE BILL 335. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

LB 1111 Tuesday, January 25, 2000 1:30 p.m.

LB 1119	Tuesday, January 25, 2000	1:30 p.m.
LB 1125	Tuesday, January 25, 2000	1:30 p.m.
LB 1127	Tuesday, January 25, 2000	1:30 p.m.
LB 1148	Tuesday, January 25, 2000	1:30 p.m.

(Signed) David M. Landis, Chairperson

Urban Affairs

LB 1182	Tuesday, January 25, 2000	1:30 p.m.
LB 1103	Tuesday, January 25, 2000	1:30 p.m.
LB 1116	Tuesday, January 25, 2000	1:30 p.m.
LB 1131	Tuesday, January 25, 2000	1:30 p.m.
LB 1159	Tuesday, January 25, 2000	1:30 p.m.
LB 1198	Tuesday, January 25, 2000	1:30 p.m.

(Signed) D. Paul Hartnett, Chairperson

Education

LB 896	Tuesday, January 25, 2000	1:30 p.m.
LB 1160	Tuesday, January 25, 2000	1:30 p.m.
LB 1162	Tuesday, January 25, 2000	1:30 p.m.
LB 1161	Tuesday, January 25, 2000	1:30 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 295. Introduced by Wickersham, 49.

WHEREAS, Kenneth L. Hollrah and Shirley P. Hollrah have conveyed to the Nebraska Game and Parks Foundation property located in Dawes County, Nebraska, which will be maintained as an addition to Chadron State Park for public outdoor recreation activities; and

WHEREAS, the Game and Parks Commission has the general authority to acquire real estate with the consent of the Governor by gift; and

WHEREAS, in the interest of promoting outdoor opportunities for Nebraskans, the Legislature wishes to grant approval for the Game and Parks Commission to obtain title to all or any part of such land presently held in trust by the Nebraska Game and Parks Foundation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature approves the gift from the Nebraska Game and Parks Foundation to the Game and Parks Commission of all of the real estate described as follows:

A tract of land located in the southwest 1/4 of the northwest 1/4 of section 31, township 32 north, range 48 west of the 6th principal meridian, Dawes County, Nebraska, more particularly described as follows: Commencing at the southwest corner of said northwest quarter; thence north 0 degrees, 13 minutes east, 772.97 feet on the west line of said section 31 to the point of beginning; thence north 0 degrees, 13 minutes east, 390.18 feet on the west line of said section 31 to point A; thence north 86 degrees, 52 minutes east, 247.6 feet to point B; thence south 25 degrees, 20 minutes east, 186.6 feet on the west right-of-way line of State Highway 385, to point C; thence south 7 degrees, 20 minutes west, 213.1 feet to point D; thence south 85 degrees, 20 minutes, 35 seconds west, 302.35 feet to the point of beginning.

2. That such approval is granted with the understanding that the land described shall be designated and utilized as an addition to Chadron State Park.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 295 was referred to the Reference Committee.

GENERAL FILE

LEGISLATIVE BILL 383. Senator Brashear withdrew his amendments, AM2023, AM2025, and AM2024, found on page 242.

The Standing Committee amendment lost with 7 ayes, 18 nays, 17 present and not voting, and 7 excused and not voting.

Senator Bohlke moved to indefinitely postpone LB 383.

Laid over.

LEGISLATIVE BILL 750. Title read. Considered.

The Standing Committee amendment, AM0424, found on page 677, First Session, 1999, was considered.

Senator Thompson withdrew her amendment, AM0509, found on page 764, First Session, 1999.

Senator Thompson renewed her pending amendment, AM2012, found on page 263, to the Standing Committee amendment.

The Thompson amendment was adopted with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

SENATOR CUDABACK PRESIDING

Senators Janssen, D. Pederson, Robak, and Connealy asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Thompson moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator Thompson requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 23:

Aguilar
Beutler
Bohlke
Brown
Chambers
Connealy
Dickey
Dierks
Hartnett
Jensen
Jones
Kiel
Kremer
Landis
Preister
Price
Raikes
Redfield
Schimek
Schrock
Suttle
Thompson
Wehrbein

Voting in the negative, 19:

Baker
Bourne
Bromm
Bruning
Byars
Coordsen
Cudaback
Engel
Hilgert
Hudkins
Janssen
Kristensen
Pedersen, Dw.
Quandahl
Schmitt
Smith
Stuhr
Tyson
Wickersham

Present and not voting, 1:

Brashear

Excused and not voting, 6:

Crosby
Lynch
Matzke
Pederson, D.
Robak
Vrtiska

Failed to advance to E & R for review with 23 ayes, 19 nays, 1 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARINGS

Agriculture

LB 957	Tuesday, January 25, 2000	1:30 p.m.
LB 961	Tuesday, January 25, 2000	1:30 p.m.
LB 964	Tuesday, January 25, 2000	1:30 p.m.

(Signed) Merton L. Dierks, Chairperson

General Affairs

LB 912	Monday, January 31, 2000	1:30 p.m.
LB 976	Monday, January 31, 2000	1:30 p.m.
LB 982	Monday, January 31, 2000	1:30 p.m.
LB 1086	Monday, January 31, 2000	1:30 p.m.

LB 1094	Monday, January 31, 2000	1:30 p.m.
LB 1150	Monday, January 31, 2000	1:30 p.m.

(Signed) Ray Janssen, Chairperson

Health and Human Services

Wednesday, January 26, 2000 Community Services Block Grant	1:30 p.m.

LB 965	Wednesday, January 26, 2000	1:30 p.m.
LB 1022	Wednesday, January 26, 2000	1:30 p.m.
LB 1051	Wednesday, January 26, 2000	1:30 p.m.
LB 1113	Wednesday, January 26, 2000	1:30 p.m.
LB 950	Thursday, January 27, 2000	1:30 p.m.
LB 963	Thursday, January 27, 2000 (reschedule)	1:30 p.m.
LB 1023	Thursday, January 27, 2000 (reschedule)	1:30 p.m.
LB 1115	Thursday, January 27, 2000	1:30 p.m.
LB 981	Friday, January 28, 2000	1:30 p.m.
LB 1028	Friday, January 28, 2000	1:30 p.m.

(Signed) Jim Jensen, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 296. Introduced by Wehrbein, 2.

WHEREAS, the United States Government has conveyed to the Game and Parks Commission property located in Otoe County, Nebraska, which will be maintained as an addition to Arbor Lodge State Historical Park for public outdoor recreation activities; and

WHEREAS, the Game and Parks Commission has the general authority to acquire real estate with the consent of the Governor by gift; and

WHEREAS, in the interest of promoting outdoor opportunities for Nebraskans, the Legislature wishes to grant approval for the Game and Parks Commission to obtain title to all or any part of such land presently held in trust by the United States Government.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature approves the gift from the United States Government to the Game and Parks Commission of all of the real estate described as a tract of land situated in the southwest quarter of section 8, township 8 north, range 14 east of the 6th principal meridian, Otoe County, Nebraska, more particularly described as follows: Commencing at the northeast corner of said southwest 1/4 section 8; thence west 990.00 feet; thence south to a point that intersects the north right-of-way line of State Highway No. 2, said intersection being the point of beginning; thence

easterly along said north right-of-way line of State Highway No. 2, for a distance of 200 feet; thence north 400 feet; thence west 200 feet; thence south to the point of beginning, all located in Otoe County, Nebraska, containing 1.84 acres, more or less, or 80,000 square feet.

2. That such approval is granted with the understanding that the land described shall be designated and utilized as an addition to Arbor Lodge State Historical Park.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 296 was referred to the Reference Committee.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 659A. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORT
Nebraska Retirement Systems

LEGISLATIVE BILL 155. Placed on General File as amended.
Standing Committee amendment to LB 155:
AM1955

1. Strike original section 1 and insert the following new sections:

"Section 1. Section 79-978, Revised Statutes Supplement, 1998, is amended to read:

79-978. For purposes of the Class V School Employees Retirement Act, unless the context otherwise requires:

(1) Retirement system or system means the School Employees' Retirement System of (corporate name of the school district as described in section 79-405) as provided for by the act;

(2) Board means the board of education of the school district;

(3) Trustee means a trustee provided for in section 79-980;

(4) Employee means the following enumerated persons receiving compensation from the school district: (a) Regular teachers and administrators employed on a written contract basis; and (b) regular employees, not included in subdivision (4)(a) of

this section, hired upon a full-time basis, which basis shall contemplate a workweek of not less than thirty hours;

(5) Member means any employee included in the membership of the retirement system or any former employee who has made contributions to the system and has not received a refund;

(6) Annuitant means any member receiving an allowance;

(7) Beneficiary means any person entitled to receive or receiving a benefit by reason of the death of a member;

(8) Membership service means service on or after September 1, 1951, as an employee of the school district and a member of the system for which compensation is paid by the school district;

(9) Prior service means service rendered prior to September 1, 1951, for which credit is allowed under section 79-999, service rendered by retired employees receiving benefits under preexisting systems, and service for which credit is allowed under sections 79-990, 79-991, 79-994, 79-995, and 79-997;

(10) Creditable service means the sum of the membership service and the prior service;

(11) Compensation means salary or wages payable by the school district before reduction for contributions picked up under section 414(h) of the Internal Revenue Code or elective contributions made pursuant to sections 125 or 403(b) of the code, subject to the applicable limitations of section 401(a)(17) of the code;

(12) Military service means service in the uniformed services as defined in 38 U.S.C. chapter 43, as such provision existed on March 27, 1997;

(13) Accumulated contributions means the sum of amounts contributed by a member of the system together with regular interest credited thereon;

(14) Regular interest means interest (a) on the total contributions of the member prior to the close of the last preceding fiscal year, (b) compounded annually, and (c) at rates to be determined annually by the board, which shall have the sole, absolute, and final discretionary authority to make such determination, except that the rate for any given year in no event shall exceed the actual percentage of net earnings of the system during the last preceding fiscal year;

(15) Retirement date means the date of retirement of a member for service or disability as fixed by the board;

(16) Normal retirement date means the end of the month during which the member attains age sixty-five and has completed at least five years of membership service;

(17) Early retirement date means that month and year selected by a member having at least ten years of creditable service which includes a minimum of five years of membership service and who has attained age fifty-five;

(18) Retirement allowance means the total annual

retirement benefit payable to a member for service or disability;

(19) Annuity means annual payments, for both prior service and membership service, for life as provided in the act;

(20) Actuarial tables means:

(a) For determining the actuarial equivalent of any annuities other than joint and survivorship annuities, a unisex mortality table using ~~thirty~~ twenty-five percent of the male mortality and ~~seventy~~ seventy-five percent of the female mortality from the ~~1951~~ 1994 Group Annuity Mortality Table with a One Year Setback and using an interest rate of ~~five and seventy-five hundredths~~ eight percent compounded annually; and

(b) For joint and survivorship annuities, a unisex retiree mortality table using sixty-five percent of the male mortality and thirty-five percent of the female mortality from the ~~1951~~ 1994 Group Annuity Mortality Table with a One Year Setback and using an interest rate of ~~five and seventy-five hundredths~~ eight percent compounded annually and a unisex joint annuitant mortality table using thirty-five percent of the male mortality and sixty-five percent of the female mortality from the ~~1951~~ 1994 Group Annuity Mortality Table with a One Year Setback and using an interest rate of ~~five and seventy-five hundredths~~ eight percent compounded annually;

(21) Actuarial equivalent means the equality in value of the retirement allowance for early retirement or the retirement allowance for an optional form of annuity, or both, with the normal form of the annuity to be paid, as determined by the application of the appropriate actuarial table, except that use of such actuarial tables shall not effect a reduction in benefits accrued prior to September 1, 1985, as determined by the actuarial tables in use prior to such date;

(22) Fiscal year means the period beginning September 1 in any year and ending on August 31 of the next succeeding year;

(23) Primary beneficiary means the person or persons entitled to receive or receiving a benefit by reason of the death of a member; and

(24) Secondary beneficiary means the person or persons entitled to receive or receiving a benefit by reason of the death of all primary beneficiaries prior to the death of the member. If no primary beneficiary survives the member, secondary beneficiaries shall be treated in the same manner as primary beneficiaries.

Sec. 2. Section 79-9,100, Revised Statutes Supplement, 1998, is amended to read:

79-9,100. In lieu of the retirement annuity provided by section 79-999 or 79-9,113, any member who becomes eligible to receive a retirement annuity after February 20, 1982, under the Class V School Employees Retirement Act shall receive a formula retirement annuity based on final average compensation, except that if the monthly formula retirement annuity based on final average compensation is less than the monthly retirement annuity specified in section 79-999 or 79-9,113, accrued to the date of retirement or August 31, 1983, whichever first occurs, the member shall receive the monthly retirement annuity specified in section 79-999 or 79-9,113 accrued to the date of retirement or August 31, 1983, whichever first occurs.

The monthly formula retirement annuity based on final average compensation shall be determined by multiplying the number of years of creditable service for which such member would otherwise receive the retirement annuity provided by section 79-999 or 79-9,113 by one and one-half percent of his or her final average compensation. For retirements after June 15, 1989, and before April 18, 1992, the applicable percentage shall be one and sixty-five hundredths percent of his or her final average compensation. For retirements on or after April 18, 1992, and before June 7, 1995, the applicable percentage shall be one and seventy-hundredths percent of his or her final average compensation. For retirements on or after June 7, 1995, and before March 4, 1998, the applicable percentage shall be one and eighty-hundredths percent of his or her final average compensation. For retirements on or after March 4, 1998, and before the effective date of this act, the applicable percentage shall be one and eighty-five hundredths percent of his or her final average compensation. For retirements on or after the effective date of this act, the applicable percentage shall be two percent of his or her final average compensation.

Final average compensation shall be determined by dividing the member's total compensation for the three fiscal years in which such compensation was the highest by thirty-six.

For retirements before June 7, 1995, if the annuity begins prior to the sixty-second birthday of the member and the member has not completed thirty-five or more years of creditable service, the annuity at the date it begins shall be the actuarial equivalent of the annuity deferred to the sixty-second birthday of the member. If the annuity begins prior to the sixty-second birthday of the member and the member has completed thirty-five or more years of creditable service, the annuity shall not be reduced. For retirements on or after June 7, 1995, any retirement annuity which begins prior to the sixty-second birthday of the member shall be reduced by twenty-five hundredths percent for each month or partial month between the date the annuity begins and the member's sixty-second birthday. If the annuity begins at a time when:

(1) The sum of the member's attained age and creditable service is eighty-five or more, the annuity shall not be reduced;

(2) The sum of the member's attained age and creditable service totals eighty-four, the annuity shall not be reduced by an amount greater than three percent of the unreduced annuity;

(3) The sum of the member's attained age and creditable service totals eighty-three, the annuity shall not be reduced by an amount greater than six percent of the unreduced annuity; and

(4) The sum of the member's attained age and creditable service totals eighty-two, the annuity shall not be reduced by an amount greater than nine percent of the unreduced annuity.

For purposes of this section, a member's creditable service and attained age shall be measured in one-half-year increments.

The normal form of the formula retirement annuity based on final average compensation shall be an annuity payable monthly during the remainder of the member's life with the provision that in the event of his or her death before sixty monthly payments have been made the monthly payments will be continued to his or her estate or to the beneficiary he or she has designated until a total of sixty monthly payments have been made. A member may elect to receive, in lieu of the normal form of annuity, an actuarially equivalent annuity in any optional form provided by section 79-9,101.

Any member receiving a formula retirement annuity based on final average compensation shall also receive the service annuity to be paid by the State of Nebraska as provided in sections 79-933 to 79-935 and 79-951.

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 8, line 16, after "during" insert "each" and strike "years" and insert "year"; and in line 17 after "member's" insert "required".

3. On page 9, line 15, strike "when" and insert "before".

4. Renumber the remaining sections and correct internal references accordingly.

(Signed) Elaine R. Stuhr, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1275. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to evidence; to define terms; and to provide for a privileged communication.

LEGISLATIVE BILL 1276. Introduced by Redfield, 12; Bohlke, 33; Coordsen, 32; Quandahl, 31; Raikes, 25; Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202.02 and 77-202.04, Reissue Revised Statutes of Nebraska, and sections 77-202.01 and 77-202.03, Revised Statutes Supplement, 1999; to change provisions relating to the granting of property tax exemptions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1277. Introduced by Engel, 17; Baker, 44; Brown, 6; Bruning, 3; Matzke, 47; D. Pederson, 42; Quandahl, 31; Schrock, 38; Wickersham, 49.

A BILL FOR AN ACT relating to local authorities; to amend sections 18-1729 and 60-680, Reissue Revised Statutes of Nebraska, and section 60-601, Revised Statutes Supplement, 1999; to authorize any local authority to pass traffic regulation ordinances as prescribed; to provide penalties; to provide collection procedures for fines; and to repeal the original sections.

LEGISLATIVE BILL 1278. Introduced by Cudaback, 36.

A BILL FOR AN ACT relating to schools; to provide for payments as prescribed.

LEGISLATIVE BILL 1279. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25; Redfield, 12.

A BILL FOR AN ACT relating to budgets; to amend sections 13-502 and 84-304, Reissue Revised Statutes of Nebraska, and sections 13-501, 13-503, and 13-504, Revised Statutes Supplement, 1999; to change provisions of the Nebraska Budget Act; to change and eliminate provisions relating to applicability of the act; to change budget and examination provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 13-515, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1280. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to livestock; to amend sections 54-701, 54-701.02, 54-704, and 54-746, Reissue Revised Statutes of Nebraska, and sections 54-701.03 and 54-744, Revised Statutes Supplement, 1999; to change provisions relating to livestock health and disease; to define terms; to create an advisory committee; to provide for surveillance of diseases; to provide for voluntary livestock certification programs; and to repeal the original sections.

LEGISLATIVE BILL 1281. Introduced by Schimek, 27; Coordsen, 32.

A BILL FOR AN ACT relating to election procedures; to amend section 32-903, Reissue Revised Statutes of Nebraska; to change provisions relating to precincts; and to repeal the original section.

LEGISLATIVE BILL 1282. Introduced by Stuhr, 24.

A BILL FOR AN ACT relating to habitual criminals; to amend sections 29-2221, 60-4,108, and 60-4,109, Reissue Revised Statutes of Nebraska; to provide for enhanced penalties for subsequent violations as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1283. Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Thompson, 14.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-4,137, 60-4,139, and 60-4,142, Reissue Revised Statutes of Nebraska; to change provisions relating to commercial motor vehicle operators; and to repeal the original sections.

LEGISLATIVE BILL 1284. Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Thompson, 14.

A BILL FOR AN ACT relating to railroads; to regulate the payment of claims against a railroad.

LEGISLATIVE BILL 1285. Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Byars, 30; Hudkins, 21; Dw. Pedersen, 39; Thompson, 14; and Landis, 46.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 75-156, 86-1111, 86-1222, and 86-1909, Reissue Revised Statutes of Nebraska; to provide for an administrative fine; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1286. Introduced by Kremer, 34; Baker, 44; Dickey, 18; Hudkins, 21; Jones, 43; Stuhr, 24; Tyson, 19; Wehrbein, 2.

A BILL FOR AN ACT relating to the Nongame and Endangered Species Conservation Act; to amend sections 37-801 and 37-807, Reissue Revised Statutes of Nebraska, and section 37-201, Revised Statutes Supplement, 1999; to provide for safe harbor agreements to permit certain actions; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1287. Introduced by Thompson, 14; Bromm, 23.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-301, 60-471, 60-501, 60-678, 60-6,349, 60-6,350, 60-6,351, and 60-3007, Reissue Revised Statutes of Nebraska, and sections 60-311, 60-601, and 60-3004, Revised Statutes Supplement, 1999; to authorize and regulate low-speed vehicles as prescribed; to define a term; to provide a penalty; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1288. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 49-1447, 49-1453, 49-1463.01, 49-1466, and 49-14,123, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1999; to change provisions relating to committee treasurers and dissolution of committees; to provide bonding requirements; to provide for the accrual of interest on late filing fees and civil penalties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1289. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to probation; to create a fund; and to declare an emergency.

LEGISLATIVE BILL 1290. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend section 79-5,108, Reissue Revised Statutes of Nebraska; to change provisions relating to attendance at out-of-state schools; and to repeal the original section.

LEGISLATIVE BILL 1291. Introduced by Quandahl, 31; Baker, 44; Dickey, 18; Dierks, 40; Engel, 17; Hilgert, 7; Kremer, 34; Dw. Pedersen, 39; Redfield, 12; Smith, 48; Tyson, 19.

A BILL FOR AN ACT relating to abortion; to amend section 71-6906, Reissue Revised Statutes of Nebraska, sections 28-325 to 28-327.01, 28-327.03, and 28-340, Revised Statutes Supplement, 1998, and section 28-101, Revised Statutes Supplement, 1999; to change provisions relating to voluntary and informed consent, printed materials, notification, and civil liability; to provide for prosecution for fraudulent impersonation as prescribed; to eliminate provisions requiring school districts to provide written information; to harmonize provisions; to provide severability, to repeal the original sections; and to outright repeal section 71-6909, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1292. Introduced by Schimek, 27; Wickersham, 49.

A BILL FOR AN ACT relating to local government; to authorize creation of municipal counties.

COMMUNICATION

Pursuant to LB 637, 1999, the Policy Secretary informs the Legislature that HHS is proposing designating the Nebraska State Treasure's Office as the vendor to operate the State Disbursement Unit. Confirmation of this proposal is requested at the Legislature's earliest convenience in order to ensure Nebraska's compliance with federal timelines for implementing our State's SDU.

VISITORS

Visitors to the Chamber were Erika Flores from Omaha; and Janelle Schultz, Pat Kraemer, Mario Max, Nancy Galindo, and Russell Trout from Scottsbluff, and Esther Sanchez from Gering.

The Doctor of the Day was Dr. Weiss from Lincoln.

ADJOURNMENT

At 12:13 p.m., on a motion by Senator Suttle, the Legislature adjourned until 9:00 a.m., Wednesday, January 19, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

NINTH DAY - JANUARY 19, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 19, 2000

PRAYER

The prayer was offered by Senator Quandahl.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Crosby and Vrtiska who were excused; and Senators Aguilar, Bohlke, Brashear, Byars, Dierks, Hartnett, Kiel, Lynch, Price, Redfield, Robak, Schrock, Wehrbein, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 94, line 2, strike "Stinette" and insert "Stinnette".
The Journal for the first day was approved as corrected

Page 129, line 36, after "Reissue" delete "1".
Page 130, line 31, after "Statutes of" delete "1".
Page 135, line 31, after "require a" delete "1".
The Journal for the first day was approved as corrected.

Page 185, after line 26, insert "(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board"
Page 192, line 12, after "practitioners," delete "1".
Page 193, line 10, after "Statutes" delete "1".
Page 196, line 29, after "71-7107," delete "1".
The Journal for the fourth day was approved as corrected.

Page 274, line 3, change "Transportation" to "Transportation and Telecommunications".
The Journal for the seventh day was approved as corrected.

The Journal for the eighth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills, resolution, and appointments:

LB/LR	**Committee**
LB 1178	Banking, Commerce and Insurance (rereferred)
LB 1165	Judiciary
LB 1166	Judiciary
LB 1205	Judiciary
LB 1206	Government, Military and Veterans Affairs
LB 1207	Banking, Commerce and Insurance
LB 1208	Banking, Commerce and Insurance
LB 1209	Banking, Commerce and Insurance
LB 1210	Health and Human Services
LB 1211	Health and Human Services
LB 1212	Health and Human Services
LB 1213	Education
LB 1214	Appropriations
LB 1215	Appropriations
LB 1216	Appropriations
LB 1217	Appropriations
LB 1218	Transportation and Telecommunications
LB 1219	Appropriations
LB 1220	Natural Resources
LB 1221	Business and Labor
LB 1222	Agriculture
LB 1223	Revenue
LB 1224	Appropriations
LB 1225	Health and Human Services
LB 1226	Education
LB 1227	Education
LB 1228	Education
LB 1229	Judiciary
LB 1230	Revenue
LB 1231	Health and Human Services
LB 1232	Appropriations
LB 1233	Appropriations
LB 1234	Natural Resources
LB 1235	Urban Affairs
LB 1236	Education
LB 1237	Judiciary
LB 1238	Urban Affairs
LB 1239	Transportation and Telecommunications
LB 1240	Transportation and Telecommunications
LB 1241	General Affairs
LB 1242	Appropriations
LB 1243	Education
LB 1244	Natural Resources

LB 1245	Education
LB 1246	Education
LB 1247	Appropriations
LB 1248	Banking, Commerce and Insurance
LB 1249	Transportation and Telecommunications
LB 1250	Banking, Commerce and Insurance
LB 1251	Revenue
LB 1252	Government, Military and Veterans Affairs
LB 1253	Banking, Commerce and Insurance
LB 1254	Revenue
LB 1255	Revenue
LB 1256	Banking, Commerce and Insurance
LB 1257	Business and Labor
LR 294CA	Government, Military and Veterans Affairs

Kisby, Larry - Board of Public Roads Classifications and Standards - Transportation and Telecommunications

Peterson, Chris - Health and Human Services, Policy Secretary - Health and Human Services

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENT

Senator Coordsen designates LB 1124 as his priority bill.

NOTICE OF COMMITTEE HEARING
Nebraska Retirement Systems

LB 1192 Wednesday, January 26, 2000 12:00 p.m.

(Signed) Elaine R. Stuhr, Chairperson

GENERAL FILE

LEGISLATIVE RESOLUTION 6CA. Read. Considered.

Advanced to E & R for review with 31 ayes, 1 nay, 8 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 534. Title read. Considered.

The Standing Committee amendment, AM0442, found on page 696, First Session, 1999, was adopted with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

Senator Kristensen renewed his pending amendment, AM0535, found on page 250.

The Kristensen amendment was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

STANDING COMMITTEE REPORTS

Health and Human Services

LEGISLATIVE BILL 220. Placed on General File as amended.
Standing Committee amendment to LB 220:
AM2013

1. On page 2, line 17, after "structures" insert ", except that no podiatrist shall perform surgery on the ankle other than in a licensed hospital or accredited ambulatory surgical center and a podiatrist performing surgery on the ankle in a licensed hospital or accredited ambulatory surgical center shall have successfully completed an advanced postdoctoral surgical residency program of at least one year's duration which is recognized as suitable for that purpose by the Board of Podiatry".

LEGISLATIVE BILL 209. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1293. Introduced by Connealy, 16; Bourne, 8; Thompson, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-520 and 77-3442, Revised Statutes Supplement, 1999; to provide an exception to budget and levy limits for education service units as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1294. Introduced by Connealy, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2404.15, Revised Statutes Supplement, 1999; to provide a sales tax exemption for certain drainage districts; and to repeal the original section.

LEGISLATIVE BILL 1295. Introduced by Transportation and

Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-305.09, 60-305.17, 60-561, 75-128, 75-156, 75-301, 75-304 to 75-307.03, 75-309, 75-311, 75-352, 75-366, 75-369.02, 75-369.03, 75-370, 75-371, 75-386, 75-388, and 75-390, Reissue Revised Statutes of Nebraska, section 66-1406.02, Revised Statutes Supplement, 1998, and sections 48-604, 75-302, and 75-303, Revised Statutes Supplement, 1999; to change provisions relating to registration of fleet vehicles; to transfer powers of the Public Service Commission to the Division of Motor Carrier Services; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1296. Introduced by Kristensen, 37; Bourne, 8.

A BILL FOR AN ACT relating to child support; to amend sections 42-347, 42-357, 42-358, 42-358.01, 42-358.02, 42-364.01, 42-364.13, 42-364.15, 42-369, 42-371.01, 43-512, 43-512.07, 43-1701, 43-1703, 43-1718, 73-1718.02, 43-1723, 43-1727, 43-1729, and 43-1741, Reissue Revised Statutes of Nebraska, and sections 43-3341, 43-3342, 43-3344, 43-3346, and 43-3347, Revised Statutes Supplement, 1999; to implement support payments through the State Disbursement Unit; to create a commission and a unit; to provide powers and duties; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 43-3344, Revised Statutes Supplement, 1999; and to declare an emergency.

LEGISLATIVE BILL 1297. Introduced by Kremer, 34.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend sections 70-1002, 70-1005, 70-1010, 70-1011, and 70-1013, Reissue Revised Statutes of Nebraska; to authorize hearings at the request of interested parties; to require notification of certain hearings and decisions; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1298. Introduced by D. Pederson, 42.

A BILL FOR AN ACT relating to the Commission for the Deaf and Hard of Hearing; to amend section 71-4720.01, Revised Statutes Supplement, 1998; to eliminate a duty; to harmonize provisions; to repeal the original section; and to outright repeal section 71-4733, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 1299. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to physical therapy practice credentials; to amend sections 71-2801, 71-2802, 71-2803.01, 71-2815, and 71-2819, Reissue Revised Statutes of Nebraska, and sections 71-101, 71-2804, and

71-2807, Revised Statutes Supplement, 1999; to provide for continuing education; to change provisions relating to certificate fees; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1300. Introduced by Lynch, 13; Schrock, 38.

A BILL FOR AN ACT relating to medical assistance; to amend section 68-1020, Revised Statutes Supplement, 1999; to change eligibility provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1301. Introduced by Hartnett, 45; Redfield, 12.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend section 31-727, Reissue Revised Statutes of Nebraska; to change provisions relating to road repair and maintenance; to provide duties; and to repeal the original section.

LEGISLATIVE BILL 1302. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 9-321.01, Reissue Revised Statutes of Nebraska, and section 77-2701, Revised Statutes Supplement, 1998; to exempt pickle cards from sales taxation; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1303. Introduced by Hartnett, 45; Bruning, 3; Thompson, 14.

A BILL FOR AN ACT relating to counties; to amend sections 81-1254 and 81-1255, Reissue Revised Statutes of Nebraska; to change provisions relating to use of a hotel occupancy tax; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1304. Introduced by Janssen, 15; Hartnett, 45.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Reissue Revised Statutes of Nebraska; to change provisions relating to examinations of fire protection districts; and to repeal the original section.

LEGISLATIVE BILL 1305. Introduced by Janssen, 15; Baker, 44; Bromm, 23; Connealy, 16; Coordsen, 32; Jones, 43.

A BILL FOR AN ACT relating to community colleges; to amend sections 13-502, 13-1612, 81-1113, 81-1118.02, 81-1201.21, 84-612, 85-121.03, 85-1416, 85-1418, 85-1501, 85-1503, 85-1511, 85-1515, 85-1517, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, section 77-3445, Revised Statutes Supplement, 1998, and sections 13-518, 48-621, and 77-3442, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to levy authority and state aid; to provide for state funding of community colleges; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 85-1516 and 85-1536 to 85-1540, Reissue Revised Statutes of Nebraska.

GENERAL FILE

LEGISLATIVE BILL 523. Title read. Considered.

Senator Suttle withdrew her amendment, AM0559, found on page 761, First Session, 1999.

Senator Suttle renewed her pending amendment, AM1998, found on page 243.

The Suttle amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 410. Title read. Considered.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, AM0366, found on page 756, First Session, 1999, was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

Advanced to E & R for review with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1306. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to cities of the first class; to amend section 16-309, Reissue Revised Statutes of Nebraska; to change provisions relating to vacancies in the office of city administrator; and to repeal the original section.

LEGISLATIVE BILL 1307. Introduced by Thompson, 14; Raikes, 25.

A BILL FOR AN ACT relating to early childhood program training; to amend section 43-2607, Reissue Revised Statutes of Nebraska, and section 77-2701, Revised Statutes Supplement, 1998; to provide funding; to authorize an income tax checkoff; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1308. Introduced by Schimek, 27.

A BILL FOR AN ACT relating to initiative and referendum petitions; to amend sections 32-629, 32-630, and 32-1401 to 32-1404, Reissue Revised Statutes of Nebraska, and section 32-628, Revised Statutes Supplement, 1999; to change provisions relating to petition circulators; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1309. Introduced by Hilgert, 7; Connealy, 16; Preister, 5.

A BILL FOR AN ACT relating to workers' compensation; to amend sections 48-165, 48-172, and 48-1,110, Reissue Revised Statutes of Nebraska, and section 48-121, Revised Statutes Supplement, 1999; to provide employer and compensation court duties; to change compensation provisions; to provide for certain costs; and to repeal the original sections.

LEGISLATIVE BILL 1310. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to labor relations; to amend sections 48-824 and 81-1386, Reissue Revised Statutes of Nebraska; to change procedures relating to unfair labor practices; and to repeal the original sections.

LEGISLATIVE BILL 1311. Introduced by Hilgert, 7.

A BILL FOR AN ACT relating to employment security; to amend section 48-604, Revised Statutes Supplement, 1999; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 1312. Introduced by Cudaback, 36; Brown, 6.

A BILL FOR AN ACT relating to elevators; to amend sections 48-418.02 to 48-418.04, 48-418.06, 48-418.07, 48-418.10, 48-418.11, and 48-418.14, Reissue Revised Statutes of Nebraska; to name an act; to provide for exemptions from the act; to create a board; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1313. Introduced by Smith, 48; Bruning, 3; Hilgert, 7; Kiel, 9; Preister, 5; Quandahl, 31.

A BILL FOR AN ACT relating to the National Register of Historic Places; to adopt the Municipal and Historical Redevelopment Act of 2000.

LEGISLATIVE BILL 1314. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Roads.

LEGISLATIVE BILL 1315. Introduced by Hartnett, 45; Tyson, 19.

A BILL FOR AN ACT relating to cities of the first class; to amend section 16-246, Reissue Revised Statutes of Nebraska; to change provisions relating to jurisdiction; to eliminate obsolete language; and to repeal the original section.

LEGISLATIVE BILL 1316. Introduced by Stuhr, 24; D. Pederson, 42; Schrock, 38.

A BILL FOR AN ACT relating to ethanol; to amend section 66-1330, Reissue Revised Statutes of Nebraska; to provide a tax refund for sales of ethanol-blended motor fuel; to impose a tax on ethanol production; to create a fund; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 1317. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-1278, 37-1278.01, 60-106, 60-111.01, 60-308 and 60-483, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-4,144, and 60-4,181, Revised Statutes Supplement, 1999; to eliminate the Uniform Motor Vehicle Records Disclosure Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-2901 to 60-2913, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1318. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to interest, loans, and debt; to amend sections 45-101.03, 45-102, and 45-104, Reissue Revised Statutes of Nebraska; to change provisions relating to interest and debt; and to repeal the original sections.

LEGISLATIVE BILL 1319. Introduced by Hartnett, 45; Thompson, 14.

A BILL FOR AN ACT relating to elections; to amend sections 32-208 and 32-211, Reissue Revised Statutes of Nebraska; to change residency requirements for election commissioners and chief deputy election commissioners as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1320. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to highway funds; to amend sections 39-2120, 39-2121, 39-2215, 39-2501, 39-2508, 39-2509, 39-2519, 66-4,101, and 66-4,148, Reissue Revised Statutes of Nebraska; to provide for distributions to sanitary and improvement districts; and to repeal the original sections.

LEGISLATIVE BILL 1321. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to child welfare services; to amend section 68-1207, Reissue Revised Statutes of Nebraska; to change provisions relating to caseloads; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 153. Title read. Considered.

The Standing Committee amendment, AM0449, found on page 759, First Session, 1999, was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Thompson offered the following amendment:
AM1952

1. On page 3, line 15, after "shall" insert "issue a report by November 30, 2000 and"; in line 17 strike "December 1, 1999" and insert "June 30, 2001"; strike line 18 and insert "The College of Public Affairs and Community Service of the University of"; and in lines 27 and 28 strike "December 31, 1999" and insert "June 30, 2001".
2. In the Standing Committee amendments, AM0449, on page 1, line 6, after the comma insert "a representative from the State Troopers' Association of Nebraska,".

The Thompson amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 153A. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 288. Title read. Considered.

The Standing Committee amendment, AM0169, found on page 760, First Session, 1999, was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 929. Placed on General File.
LEGISLATIVE BILL 931. Placed on General File.

LEGISLATIVE BILL 930. Placed on General File as amended.
Standing Committee amendment to LB 930:
AM2054

1. Strike original section 10.

2. On page 21, line 28, after the third comma insert "and" and strike "and 48-146.01,".

3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 932. Placed on General File as amended.
Standing Committee amendment to LB 932:
AM2027

1. Insert the following new sections:

"Section 1. Section 8-148.07, Reissue Revised Statutes of Nebraska, is amended to read:

8-148.07. A bank subsidiary corporation shall engage in only those activities prescribed under subdivision (1) of section 8-101 or that its bank shareholder is authorized to perform under the laws of this state and shall engage in those activities only at locations in this state where the bank shareholder could be authorized to perform activities.".

2. On page 3, line 7, after "shall" insert "directly, or indirectly through a subsidiary or subsidiaries,"; and in line 10 after "Nebraska" insert ", including the exercise of all powers and activities that are permitted for a financial subsidiary of a federally chartered bank".

3. On page 45, line 13; and page 47, line 25, strike "21" and insert "22".

4. On page 64, line 3, after "sections" insert "8-148.07,".

5. Renumber the remaining sections accordingly.

(Signed) David M. Landis, Chairperson

NOTICE OF COMMITTEE HEARINGS
Natural Resources

LB 980	Wednesday, January 26, 2000	1:30 p.m.
LB 1053	Wednesday, January 26, 2000	1:30 p.m.
LB 1184	Wednesday, January 26, 2000	1:30 p.m.
LB 992	Thursday, January 27, 2000	1:30 p.m.
LB 1152	Thursday, January 27, 2000	1:30 p.m.

LB 1069	Friday, January 28, 2000	1:30 p.m.
LB 1220	Friday, January 28, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Judiciary

LB 907	Wednesday, January 26, 2000	1:30 p.m.
LB 1201	Wednesday, January 26, 2000	1:30 p.m.
LB 1202	Wednesday, January 26, 2000	1:30 p.m.
LB 1203	Wednesday, January 26, 2000	1:30 p.m.
LB 1237	Wednesday, January 26, 2000	1:30 p.m.
LB 908	Thursday, January 27, 2000	1:30 p.m.
LB 938	Thursday, January 27, 2000	1:30 p.m.
LB 998	Thursday, January 27, 2000	1:30 p.m.
LB 1081	Thursday, January 27, 2000	1:30 p.m.
LB 927	Friday, January 28, 2000	1:30 p.m.
LB 1110	Friday, January 28, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 480. Placed on Select File as amended.
E & R amendment to LB 480:
AM7162

1. In the Schimek amendment, AM1749:

a. On page 2, line 7, after "including" insert a comma;

b. On page 3, line 16, strike "a one-year term" and insert "one-year terms"; in line 19 strike "a three-year term" and insert "three-year terms"; and in lines 23 and 24 before "council" insert "advisory";

c. On page 4, line 2, after "the" insert "advisory"; in line 17 strike the second "and"; and in line 18 after "Services" insert a comma; and

d. On page 6, line 5, strike "initiative" and insert "Women's Health Initiative of Nebraska".

2. On page 1, line 2, strike the first "a" and insert "an advisory".

LEGISLATIVE BILL 480A. Placed on Select File as amended.
E & R amendment to LB 480A:
AM7161

1. On page 1, line 3, strike "First Session, 1999" and insert "Second Session, 2000".

2. On page 2, lines 2, 9, and 11, strike "FY1999-00" and

insert "FY2000-01"; in lines 3, 9, and 12 strike "FY2000-01" and insert "FY2001-02"; in lines 5 and 14 strike "First" and insert "Second"; and in lines 6 and 15 strike "1999" and insert "2000".

LEGISLATIVE BILL 419. Placed on Select File as amended.
E & R amendment to LB 419:
AM7163

1. In the Coordsen amendment, AM2026, on page 2, line 5, after the comma insert "and".

2. On page 1, strike beginning with "section" in line 1 through line 4 and insert "sections 77-1359 and 77-1361, Revised Statutes Supplement, 1998; to change provisions relating to valuation of farm sites; to define and redefine terms; and to repeal the original sections.".

LEGISLATIVE BILL 788. Placed on Select File as amended.
E & R amendment to LB 788:
AM7160

1. On page 1, line 2; and page 3, lines 2 and 3 and 6 and 7, strike "Reissue Revised Statutes of Nebraska" and insert "Revised Statutes Supplement, 1999".

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 582. Title read. Considered.

PRESIDENT MAURSTAD PRESIDING

The Standing Committee amendment, AM0560, found on page 793, First Session, 1999, was adopted with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 658. Title read. Considered.

Senator Lynch renewed his pending amendment, AM0444, found on page 818, First Session, 1999.

Senator Lynch moved for a call of the house. The motion prevailed with 12 ayes, 0 nays, and 37 not voting.

The Lynch amendment was adopted with 26 ayes, 0 nays, 19 present and not

voting, and 4 excused and not voting.

Advanced to E & R for review with 27 ayes, 10 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 626. Title read. Considered.

Senators Byars and Dickey asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 297. Introduced by Coordsen, 32; Hudkins, 21; Kristensen, 37; Schimek, 27; Bromm, 23; Chambers, 11; Beutler, 28; Brashear, 4; Lynch, 13.

PURPOSE: The purpose of this resolution is to authorize the continuation of the Redistricting Task Force, created by LR 174 in 1999. The task force shall act as an advisory committee to the Executive Board of the Legislative Council in matters relating to the 2001 redistricting process. The responsibilities of the task force shall include, but not be limited to, the following:

(1) To draft and recommend the substantive and procedural guidelines that will guide the Legislature's 2001 redistricting process. It is the intent of the Legislature that the guidelines be drafted so as to ensure that redistricting plans developed are constitutionally acceptable and that the redistricting process is as efficient, fair, and open as possible;

(2) To make recommendations for statutory changes relating to redistricting that the Legislature may need to consider in 2000; and

(3) To oversee the Legislative Research Division's involvement in the redistricting process.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Redistricting Task Force, consisting of Senators Beutler, Brashear, Bromm, Chambers, Hudkins, Kristensen, Lynch, Schimek, and Coordsen act as an advisory committee to the Executive Board of the Legislative Council in matters relating to the 2001 redistricting process.

2. That the task force be responsible for the tasks enumerated above, as well as any others that the Executive Board of the Legislative Council may assign to it in conjunction with the redistricting process.

Laid over.

LEGISLATIVE RESOLUTION 298. Introduced by Preister, 5; Brown, 6; Price, 26; Beutler, 28; Connealy, 16; Kiel, 9; Schimek, 27; Hilgert, 7; Lynch, 13; Hartnett, 45; Suttle, 10; Bourne, 8; Wehrbein, 2.

WHEREAS, 33,587 men and women in the United States military and 13,966 United States civilians were captured by the forces of the Empire of Japan in the Pacific Theater during World War II, confined in brutal prison camps, and subjected to severe shortages of food, medicine, and other basic necessities; and

WHEREAS, many of the United States military and civilian prisoners of the Imperial Japanese Government during World War II were forced to work in coal, copper, lead, and zinc mines; steel plants; shipbuilding yards; and other private Imperial Japanese industries; and

WHEREAS, many of the United States military and civilian prisoners of the Imperial Japanese Government were starved and beaten to death or executed by beheading, firing squads, or immolation, while working for Japanese business entities that have become some of the largest multinational companies in the world today; and

WHEREAS, the Federal Republic of Germany has formally apologized to the victims of the Holocaust and provided financial compensation to its victims; and

WHEREAS, the United States Government, in 1988, acknowledged the unfairness of its policy of detaining and interring Japanese-Americans during World War II; and

WHEREAS, while Japanese Government officials have expressed personal apologies and supported the payment of privately funded reparations to some victims, the Japanese Government has refused to fully acknowledge the crimes of Imperial Japan committed during World War II and to provide reparations to its victims; and

WHEREAS, similar resolutions have been adopted by the California Legislature and introduced in the United States House of Representatives.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature urges the Government of Japan to formally acknowledge and issue an apology for the war crimes committed by the Imperial Japanese military during World War II and to pay reparations to the victims of those crimes.
2. That the Legislature requests that the President of the United States and the United States Congress take all appropriate action to further bring about a formal apology and reparations by the Japanese Government.
3. That copies of this resolution be sent to the Japanese Ambassador to the United States, the President of the United States, the President of the Senate, the speaker of the House of Representatives, and each member of Nebraska's congressional delegation.

Laid over.

LEGISLATIVE RESOLUTION 299. Introduced by Engel, 17; Bromm, 23; D. Pederson, 42.

WHEREAS, separation of powers is fundamental to the United States Constitution and the power of the federal government is strictly limited; and

WHEREAS, under the United States Constitution, the states are to determine public policy; and

WHEREAS, it is the duty of the judiciary to interpret the law, not to create law; and

WHEREAS, our present federal government has strayed from the intent of our founding fathers and the United States Constitution through inappropriate federal mandates; and

WHEREAS, these mandates by way of statute, rule, or judicial decision have forced state governments to serve as the mere administrative arm of the federal government; and

WHEREAS, federal district courts, with the acquiescence of the United States Supreme Court, continue to order states to levy or increase taxes to comply with federal mandates; and

WHEREAS, these court actions violate the United States Constitution and the legislative process; and

WHEREAS, the time has come for the people of this great nation and their duly elected representatives in state government to reaffirm, in no uncertain terms, that the authority to tax under the United States Constitution is retained by the people who, by their consent alone, do delegate such power to tax explicitly to those duly elected representatives in the legislative branch of government whom they choose, such representatives being directly responsible and accountable to those who have elected them; and

WHEREAS, Alabama, Alaska, Arizona, Colorado, Delaware, Louisiana, Massachusetts, Michigan, Missouri, Nevada, New York, Oklahoma, South Dakota, Tennessee, and Utah have petitioned the United States Congress to propose an amendment to the Constitution of the United State of America; and

WHEREAS, the amendment was previously introduced in Congress; and

WHEREAS, the amendment seeks to prevent federal courts from levying or increasing taxes without representation of the people and against the people's wishes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Congress of the United States prepare and submit to the several states an amendment to the Constitution of the United States to add a new article providing as follows:

"Neither the Supreme Court nor any inferior court of the United States shall have the power to instruct or order a state or a political subdivision thereof, or an official of such state or political subdivision, to levy or increase taxes."

2. That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States.

3. That the Legislature of the State of Nebraska also proposes that the legislatures of each of the several states comprising the United States that have not yet made a similar request apply to the United States Congress requesting enactment of an appropriate amendment to the United States

Constitution and apply to the United States Congress to propose such an amendment to the United States Constitution.

4. That the Secretary of State of the State of Nebraska transmit copies of this resolution to the President and Vice President of the United States, the presiding officer in each house of the legislature in each of the states in the union, the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Nebraska Congressional Delegation.

Referred to the Reference Committee.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 298 was referred to the Reference Committee.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 29:
FA266
Page 2, line 15 strike and show as stricken "and the Department of Agriculture for special investigative purposes", and the same language on page 5, lines 7-8.

Senator Chambers filed the following amendment to LB 29:
FA267
Page 2, line 14 beginning with "the", strike and show as stricken, all language through "purposes" in line 16 and the same language on page 5, lines 5-7.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1322. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,124, Reissue Revised Statutes of Nebraska, and sections 60-480, 60-484, 60-4,118, 60-4,120.01, 60-4,122, and 60-4,149.01, Revised Statutes Supplement, 1999; to redefine a term; to change provisions relating to proof of identification, applications for provisional operators' permits, license examinations, and school permits; to change provisions relating to certain examination waivers; and to repeal the original sections.

LEGISLATIVE BILL 1323. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to teachers; to create a team; and to provide for a study.

LEGISLATIVE BILL 1324. Introduced by Raikes, 25; Bohlke, 33; Price, 26; Redfield, 12; Schrock, 38; Thompson, 14.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1029, Revised Statutes Supplement, 1999; to change provisions relating to elections to exceed basic allowable growth percentage; and to repeal the original section.

LEGISLATIVE BILL 1325. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to law enforcement; to amend sections 53-1,121 and 83-1020, Reissue Revised Statutes of Nebraska; to change provisions relating to the custody and placement of intoxicated and mentally ill dangerous persons; to provide duties; and to repeal the original sections.

LEGISLATIVE BILL 1326. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to provide an appropriation to the Nebraska Arts Council; and to declare an emergency.

LEGISLATIVE BILL 1327. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to natural resources districts; to amend sections 2-3252 and 2-3253, Reissue Revised Statutes of Nebraska, and section 2-3254, Revised Statutes Supplement, 1999; to provide for altering improvement project area boundaries; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1328. Introduced by Appropriations Committee: Wehrbein, 2, Chairperson; Beutler, 28; Brown, 6; Engel, 17; Kiel, 9; Lynch, 13; Matzke, 47; D. Pederson, 42.

A BILL FOR AN ACT relating to the Nebraska Educational Telecommunications Commission; to amend section 79-1316, Revised Statutes Supplement, 1998; to change provisions relating to powers and duties; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1329. Introduced by Schrock, 38; Dierks, 40; Jones, 43.

A BILL FOR AN ACT relating to schools; to amend section 79-4,108, Revised Statutes Supplement, 1999; to change provisions relating to districts within a unified system; and to repeal the original section.

LEGISLATIVE BILL 1330. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to the Quality Jobs Act; to amend section 77-4935, Revised Statutes Supplement, 1998; to change a termination date for applications; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1331. Introduced by Schrock, 38; Bohlke, 33; Dierks, 40; Engel, 17.

A BILL FOR AN ACT relating to agriculture; to require covering of certain lagoons; to provide duties; to provide a penalty; and to declare an emergency.

LEGISLATIVE BILL 1332. Introduced by Wickersham, 49; Jones, 43; Matzke, 47.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-1401, 86-1402, and 86-1405, Reissue Revised Statutes of Nebraska; to establish an application process for the installation and delivery of broadband and advanced telecommunications infrastructure and services; to provide duties for the Public Service Commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1333. Introduced by Wickersham, 49; Jones, 43.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-1506, Reissue Revised Statutes of Nebraska; to provide assistance to counties and municipalities for delivering and installing broadband and advanced telecommunications infrastructure and services; to provide intent; to require certain funding reimbursements; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1334. Introduced by Education Committee: Bohlke, 33, Chairperson; Coordsen, 32; Price, 26; Raikes, 25; Stuhr, 24; Suttle, 10; Wickersham, 49.

A BILL FOR AN ACT relating to schools; to amend sections 79-534 and 79-535, Reissue Revised Statutes of Nebraska, and section 79-215, Revised Statutes Supplement, 1998; to change provisions relating to tuition; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1335. Introduced by Bohlke, 33; Dierks, 40; Hudkins, 21; Schrock, 38; Stuhr, 24; Wickersham, 49.

A BILL FOR AN ACT relating to the Special Education Act; to amend section 79-1132, Revised Statutes Supplement, 1998, and sections 79-1110, 79-1142, 79-1144, and 79-1145, Revised Statutes Supplement, 1999; to provide for funding for high-needs special education students; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1336. Introduced by Bohlke, 33; Raikes, 25; Suttle, 10; Wickersham, 49.

A BILL FOR AN ACT relating to early childhood education; to amend sections 79-808, 79-1101, and 79-1104, Reissue Revised Statutes of Nebraska, and section 79-1103, Revised Statutes Supplement, 1998; to change provisions relating to programs; to eliminate pilot projects, a program, and a committee; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1337. Introduced by Kiel, 9; Bourne, 8; Jones, 43; Lynch, 13; Dw. Pedersen, 39; Preister, 5; Price, 26.

A BILL FOR AN ACT relating to passenger rail service; to adopt the Midwest Interstate Passenger Rail Compact.

LEGISLATIVE BILL 1338. Introduced by Kiel, 9; Bourne, 8; Landis, 46; Lynch, 13; Preister, 5; Price, 26; Redfield, 12; Schimek, 27; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1999; to provide a tax credit for liability insurance premiums for onsite child care facilities; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1339. Introduced by Tyson, 19; Aguilar, 35; Baker, 44; Bohlke, 33; Bourne, 8; Brashear, 4; Bromm, 23; Bruning, 3; Byars, 30; Connealy, 16; Coordsen, 32; Dickey, 18; Dierks, 40; Engel, 17; Hartnett, 45; Hudkins, 21; Janssen, 15; Jensen, 20; Jones, 43; Kremer, 34; Kristensen, 37; Lynch, 13; Matzke, 47; Dw. Pedersen, 39; D. Pederson, 42; Preister, 5; Price, 26; Quandahl, 31; Raikes, 25; Redfield, 12; Schrock, 38; Smith, 48; Stuhr, 24; Wehrbein, 2.

A BILL FOR AN ACT relating to revenue and taxation; to create a legislative task force to study Nebraska property taxation.

LEGISLATIVE BILL 1340. Introduced by Landis, 46; Wickersham, 49.

A BILL FOR AN ACT relating to the Employment and Incentive Growth Act; to amend section 77-4113, Reissue Revised Statutes of Nebraska, and section 77-4104, Revised Statutes Supplement, 1999; to change provisions relating to the application process; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1341. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the State Real Estate Commission; to amend section 81-885.21, Reissue Revised statutes of Nebraska; to change provisions relating to trust accounts; and to repeal the original section.

LEGISLATIVE BILL 1342. Introduced by Tyson, 19.

A BILL FOR AN ACT relating to labor; to amend section 48-818, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Municipal Comparability Act; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1343. Introduced by Bromm, 23; Dickey, 18; Kremer, 34.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3218, Reissue Revised Statutes of Nebraska; to change provisions relating to per diems; and to repeal the original section.

LEGISLATIVE BILL 1344. Introduced by Jensen, 20; Stuhr, 24.

A BILL FOR AN ACT relating to child abuse and neglect; to amend sections 28-715, 28-720, and 28-725, Reissue Revised Statutes of Nebraska, and sections 28-710 and 28-713, Revised Statutes Supplement, 1998; to change provisions relating to reports and the central register; to provide for a tracking system; and to repeal the original sections.

LEGISLATIVE BILL 1345. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-1590, Revised Statutes Supplement, 1999; to authorize in lieu of tax payments for Indian housing authorities as prescribed; to define terms; to provide powers; and to repeal the original section.

LEGISLATIVE BILL 1346. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-123.04, 53-124, 53-124.12, and 53-124.14, Reissue Revised Statutes of Nebraska, section 53-122, Revised Statutes Supplement, 1998, and sections 53-103, 53-131, and 53-134, Revised Statutes Supplement, 1999; to provide for Class D-1 licenses; to redefine a term; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1347. Introduced by Schimek, 27; Janssen, 15.

A BILL FOR AN ACT relating to gambling; to amend section 9-1,106, Reissue Revised Statutes of Nebraska; to change provisions relating to tribal-state compacts; to state intent; to provide for legislative approval; and to repeal the original section.

LEGISLATIVE BILL 1348. Introduced by Wehrbein, 2; Baker, 44; Bromm, 23; Connealy, 16; Coordsen, 32; Dierks, 40; Hudkins, 21; Janssen, 15; Jones, 43; Kremer, 34; Schrock, 38; Stuhr, 24; Wickersham, 49.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1299, 81-12,102, and 81-12,103, Reissue Revised Statutes of

Nebraska; to adopt the Nebraska Agricultural and Rural Opportunities Act; to state intent; to change provisions relating to the Microenterprise Partnership Program; and to repeal the original sections.

LEGISLATIVE BILL 1349. Introduced by Bromm, 23; Wehrbein, 2.

A BILL FOR AN ACT relating to the Information Technology Infrastructure Act; to amend sections 81-1190 to 81-1192, 81-1194, 81-1195, 81-1199, and 81-11,102, Reissue Revised Statutes of Nebraska, section 81-179, Revised Statutes Supplement, 1998, and section 77-2602, Revised Statutes Supplement, 1999; to change provisions of the act; to define and redefine terms; to change funding; to change and eliminate powers and duties; to eliminate a termination date; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-1193, 81-1197, 81-1198, 81-11,100, 81-11,101, and 81-11,103, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1350. Introduced by Landis, 46.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-438 and 37-439, Revised Statutes Supplement, 1999; to change provisions relating to motor vehicle entry permit fees; and to repeal the original sections.

LEGISLATIVE BILL 1351. Introduced by Landis, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 1998; to provide a deduction from income for child care wages as prescribed; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1352. Introduced by Janssen, 15; Baker, 44; Bohlke, 33; Hudkins, 21; Schimek, 27.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1725, Reissue Revised Statutes of Nebraska; to create a task force; to provide powers and duties; to provide a termination date; to harmonize provisions; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1353. Introduced by Wickersham, 49; Coordsen, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-201, 77-1344, 77-1360.01, and 77-5023, Revised Statutes Supplement, 1998, and section 79-1016, Revised Statutes Supplement, 1999; to change provisions relating to valuation of agricultural and horticultural land; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1354. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to exempt prepaid telephone calling arrangements sold through vending machines from sales tax; to require registration and a fee for such vending machines; to provide a penalty; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1355. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-656.01, Reissue Revised Statutes of Nebraska; to create a fund; to provide for grants; to state intent relating to appropriations; to provide an exception to a levy limitation; to provide duties for the Department of Water Resources; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1356. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to the Nebraska Ground Water Management and Protection Act; to amend section 46-656.01, Reissue Revised Statutes of Nebraska, and section 77-3442, Revised Statutes Supplement, 1999; to create a fund; to provide for grants; to provide an exception to a levy limitation; to provide duties for the Department of Water Resources; to provide for a fee; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1357. Introduced by Preister, 5.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-680, Reissue Revised Statutes of Nebraska; to authorize local authorities to prohibit the use of engine brakes as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1358. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3501, Revised Statutes Supplement, 1998, and sections 77-3508 and 77-3513, Revised Statutes Supplement, 1999; to change provisions relating to disability for homestead exemption purposes; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1359. Introduced by Dierks, 40; Schmitt, 41.

A BILL FOR AN ACT relating to the Livestock Waste Management Act; to amend section 54-2411, Revised Statutes Supplement, 1999; to change permit application provisions; and to repeal the original section.

LEGISLATIVE BILL 1360. Introduced by Redfield, 12; Brashear, 4; Brown, 6; Engel, 17; Kiel, 9; D. Pederson, 42; Schrock, 38; Smith, 48.

A BILL FOR AN ACT relating to the Environmental Protection Act; to amend section 81-1532, Reissue Revised Statutes of Nebraska; to provide for a program for recognition and reward of businesses with exemplary environmental management; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1361. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to motor carriers; to amend sections 75-363 and 75-364, Revised Statutes Supplement, 1999; to change effective dates; to change safety regulation applicability; and to repeal the original sections.

LEGISLATIVE BILL 1362. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Department of Aeronautics; to amend section 3-128, Reissue Revised Statutes of Nebraska; to change powers and duties; and to repeal the original section.

LEGISLATIVE BILL 1363. Introduced by Connealy, 16; Bourne, 8; Bromm, 23; Chambers, 11; Cudaback, 36; Dierks, 40; Hilgert, 7; Jensen, 20; Kiel, 9; D. Pederson, 42; Preister, 5; Price, 26; Robak, 22; Smith, 48; Stuhr, 24; Suttle, 10; Tyson, 19.

A BILL FOR AN ACT relating to immigrant workers; to create a task force; to provide duties; and to state intent.

LEGISLATIVE BILL 1364. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to schools; to amend section 79-808, Reissue Revised Statutes of Nebraska; to change provisions relating to teacher and administrator certificates and permits; and to repeal the original section.

LEGISLATIVE BILL 1365. Introduced by Raikes, 25.

A BILL FOR AN ACT relating to counties; to amend section 23-114.03, Revised Statutes Supplement, 1999; to change provisions relating to zoning and nonfarm buildings; and to repeal the original section.

LEGISLATIVE BILL 1366. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to telecommunications; to provide for a digital voice newspaper delivery system for blind and other print-reading-impaired persons.

UNANIMOUS CONSENT - Add Cointroducers

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 1291. No objections. So ordered.

Senator Hartnett asked unanimous consent to have his name added as cointroducer to LB 1291. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 951, LB 969, and LB 970. No objections. So ordered.

Senator Thompson asked unanimous consent to have her name added as cointroducer to LB 1096. No objections. So ordered.

Senator Matzke asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

Senator Dierks asked unanimous consent to have his name added as cointroducer to LB 302A. No objections. So ordered.

VISITORS

Visitors to the Chamber were Eric and Joyce Kerr from Gering; Mike Adams from Arapahoe; and Paul Erickson from Wahoo.

The Doctor of the Day was Dr. Cindi Dodge from Lincoln.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Coordsen, the Legislature adjourned until 9:00 a.m., Thursday, January 20, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

TENTH DAY - JANUARY 20, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

TENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 20, 2000

PRAYER

The prayer was offered by Pastor Doug Gunkelman, St. John's Lutheran Church, Beatrice, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Crosby and Vrtiska who were excused; and Senators Bohlke, Brashear, Bromm, Byars, Coordsen, Landis, Raikes, Robak, Schrock, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 304, line 13, and page 307, line 9, strike "Referred to the Executive Board." and insert "Laid over."
The Journal for the eighth day was approved as corrected.
The Journal for the ninth day was approved.

STANDING COMMITTEE REPORTS

Education

LEGISLATIVE BILL 988. Indefinitely postponed.
LEGISLATIVE BILL 996. Indefinitely postponed.

(Signed) Ardyce L. Bohlke, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills, resolutions, and proposal:

LB/LR	**Committee**
LB 1258	Urban Affairs
LB 1259	Appropriations
LB 1260	Revenue
LB 1261	Health and Human Services
LB 1262	Government, Military and Veterans Affairs
LB 1263	Revenue
LB 1264	Health and Human Services
LB 1265	Government, Military and Veterans Affairs
LB 1266	Natural Resources
LB 1267	Banking, Commerce and Insurance
LB 1268	Transportation and Telecommunications
LB 1269	Business and Labor
LB 1270	Revenue
LB 1271	Banking, Commerce and Insurance
LB 1272	Education
LB 1273	Natural Resources
LB 1274	Health and Human Services
LB 1275	Judiciary
LB 1276	Revenue
LB 1277	Judiciary
LB 1278	Education
LB 1279	Revenue
LB 1280	Agriculture
LB 1281	Government, Military and Veterans Affairs
LB 1282	Judiciary
LB 1283	Transportation and Telecommunications
LB 1284	Transportation and Telecommunications
LB 1285	Transportation and Telecommunications
LB 1286	Natural Resources
LB 1287	Transportation and Telecommunications
LB 1288	Government, Military and Veterans Affairs
LB 1289	Judiciary
LB 1290	Education
LB 1291	Judiciary
LB 1292	Government, Military and Veterans Affairs
LR 295	Natural Resources
LR 296	Natural Resources

Designation of the Nebraska State Treasurer's Office as vendor to operate the State Disbursement Unit for receiving and disbursing child support payments, as provided in LB 637, 1999 – Judiciary

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENT

Senator Cudaback designates LB 922 as his priority bill.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1367. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Redfield, 12; Smith, 48.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-730 and 31-739, Reissue Revised Statutes of Nebraska; to change provisions relating to district formation and deposit of funds; to create a fund; to provide powers and duties; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1368. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Redfield, 12; Smith, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3442, Revised Statutes Supplement, 1999; to change levy limitations with respect to sanitary and improvement districts; to repeal the original section; and to declare and emergency.

LEGISLATIVE BILL 1369. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Redfield, 12; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to oil and gas severance tax; to amend section 57-705, Reissue Revised Statutes of Nebraska; to change provisions relating to the Severance Tax Fund; and to repeal the original section.

LEGISLATIVE BILL 1370. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to the Volunteer Emergency Responders Recruitment and Retention Act; to amend sections 35-1207 and 81-520.01, Reissue Revised Statutes of Nebraska, and sections 28-1249, 35-1301 to 35-1303, 35-1311, 35-1315, 35-1316, 37-438, and 37-446, Revised Statutes Supplement, 1999; to change provisions relating to proceeds of taxes and fees and the transfer of certain funds; to restate findings; to define a term; to provide for appropriations; to create a fund; to provide for the distribution of the fund; to change fees; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1371. Introduced by Urban Affairs Committee: Hartnett, 45, Chairperson; Connealy, 16; Preister, 5; Quandahl, 31; Schimek, 27; Smith, 48.

A BILL FOR AN ACT relating to the Volunteer Emergency Responders Recruitment and Retention Act; to amend sections 35-1301 to 35-1303, 35-1311, 35-1315, and 35-1316, Revised Statutes Supplement, 1999; to restate findings; to define a term; to provide for appropriations; to create a fund; to provide for the distribution of the fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1372. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 1998; to provide an adjustment to income for certain veteran benefits; and to repeal the original section.

LEGISLATIVE BILL 1373. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to license plates; to amend sections 60-311, 60-311.01, and 60-311.22, Revised Statutes Supplement, 1999; to provide for identification of the county of issuance on all license plates as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1374. Introduced by Price, 26.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2702.17, Reissue Revised Statutes of Nebraska, and section 77-2702.07, Revised Statutes Supplement, 1999; to redefine terms to exclude coupons from sales tax computation; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1375. Introduced by Kristensen, 37.

A BILL FOR AN ACT relating to telecommunications; to amend section 70-625, Revised Statutes Supplement, 1998; to limit eligible providers of telecommunications service; to regulate certain leases of fiber capacity; to state intent; to harmonize provisions; to provide a duty to the Revisor of Statutes; and to repeal the original section.

LEGISLATIVE BILL 1376. Introduced by Dierks, 40; Coordsen, 32; Cudaback, 36; Jones, 43; Schmitt, 41.

A BILL FOR AN ACT relating to Class I school districts; to amend sections 79-4,111 and 79-1098, Revised Statutes Supplement, 1998, and sections 77-3444, 79-1003, 79-1083.03, and 79-10,124, Revised Statutes Supplement, 1999; to change provisions relating to calculation of allowable budget expenditures as prescribed; to eliminate provisions relating to dissolution of districts and to reduction of property tax requests; to harmonize provisions; to repeal the original sections; to outright repeal section 79-4,110, Revised Statutes Supplement, 1998, and section 79-1027.01, Revised Statutes Supplement, 1999; and to declare an emergency.

LEGISLATIVE BILL 1377. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to natural gas; to amend section 81-1636, Reissue Revised Statutes of Nebraska; to authorize use of the Nebraska Energy Settlement Fund as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1378. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to cities and villages; to amend section 19-916, Reissue Revised Statutes of Nebraska; to change provisions relating to additions; and to repeal the original section.

LEGISLATIVE BILL 1379. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-1,125, Reissue Revised Statutes of Nebraska; to change provisions of a minority scholarship program; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1380. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to emiment domain; to amend sections 25-2501, 25-2505, 79-1095, and 79-1096, Reissue Revised Statutes of Nebraska; to change provisions relating to school district takings; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1381. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to natural resources; to amend sections 23-373 and 76-2,112, Reissue Revised Statutes of Nebraska, section 19-902, Revised Statutes Supplement, 1998, and section 23-114, Revised Statutes Supplement, 1999; to define a term; to create the Niobrara Council; to provide powers and duties; to create a fund; to harmonize provisions; to eliminate the Niobrara Scenic River Local Management Council; to repeal the original sections; and to outright repeal sections 72-2001 to 72-2004, Revised Statutes Supplement, 1998.

LEGISLATIVE BILL 1382. Introduced by Janssen, 15; Cudaback, 36.

A BILL FOR AN ACT relating to weights and measures; to amend section 89-186, Reissue Revised Statutes of Nebraska; to change provisions relating to packaging regulations; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1383. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to criminal procedure; to create the Voluntary Sentencing Guidelines Commission; to provide duties; and to provide for more uniform sentencing.

SELECT FILE

LEGISLATIVE BILL 884. Advanced to E & R for engrossment.
LEGISLATIVE BILL 885. Advanced to E & R for engrossment.
LEGISLATIVE BILL 886. Advanced to E & R for engrossment.
LEGISLATIVE BILL 887. Advanced to E & R for engrossment.
LEGISLATIVE BILL 888. Advanced to E & R for engrossment.
LEGISLATIVE BILL 889. Advanced to E & R for engrossment.
LEGISLATIVE BILL 890. Advanced to E & R for engrossment.
LEGISLATIVE BILL 891. Advanced to E & R for engrossment.
LEGISLATIVE BILL 892. Advanced to E & R for engrossment.

LEGISLATIVE BILL 893. E & R amendment, AM7159, found on page 302, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 894. Advanced to E & R for engrossment.

UNANIMOUS CONSENT - Member Excused

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 289. Title read. Considered.

The Standing Committee amendment, AM0501, found on page 793, First Session, 1999, lost with 0 ayes, 21 nays, 24 present and not voting, and 4 excused and not voting.

Senators Schimek and Cudaback offered the following amendment:
AM2058

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. The Secretary of State shall design and implement a central filing system for county zoning regulations. The Secretary of State shall be the system operator. The system shall provide a means for filing county zoning regulations on a statewide basis. The system shall include each county's zoning regulations or temporary zoning regulations and any amendments adopted thereto.

The Secretary of State and his or her employees or agents are exempt from all personal liability as a result of any error or omission in providing information of filings recorded under this section except in cases of willful misconduct or gross negligence.

Sec. 2. Section 23-114, Revised Statutes Supplement, 1999, is amended to read:

23-114. (1) The county board shall have power: (a) To provide for temporary zoning as provided in sections 23-115 to 23-115.02; (b) to create a planning commission with the powers and duties set forth in sections 23-114 to 23-114.05, 23-168.01 to 23-168.04, 23-172 to 23-174, 23-174.02, 23-373, and 23-376; (c) to make, adopt, amend, extend, and implement a county comprehensive development plan; and (d) to adopt a zoning resolution, which shall have the force and effect of law. The county board shall file the county zoning regulations or temporary zoning regulations and any amendments adopted thereto with the Secretary of State as provided in section 1 of this act.

(2) The zoning resolution may regulate and restrict: (a) The location, height, bulk, number of stories, and size of buildings and other structures, including tents, cabins, house trailers, and automobile trailers; (b) the percentage of lot areas which may be occupied; (c) building setback lines; (d) sizes of yards, courts, and other open spaces; (e) the density of population; (f) the uses of buildings; and (g) the uses of land for agriculture, forestry, recreation, residence, industry, and trade, after considering factors relating to soil conservation, water supply conservation, surface water drainage and removal, or other uses in the unincorporated area of the county.

(3)(a) The county board shall not adopt or enforce any zoning resolution or regulation which prohibits the use of land for a proposed residential structure for the sole reason that the proposed structure is a manufactured home if such manufactured home bears an appropriate seal which indicates that it was constructed in accordance with the standards of the Uniform Standard Code for Manufactured Homes and Recreational Vehicles, the Nebraska Uniform Standards for Modular Housing Units Act, or the United States Department of Housing and Urban Development. The county board may require that a manufactured home be located and installed according to the same standards for foundation system, permanent utility connections, setback, and minimum square footage which would apply to a site-built, single-family dwelling on the same lot. The county board may also require that manufactured homes meet the following standards:

(i) The home shall have no less than nine hundred square feet of floor area;

(ii) The home shall have no less than an eighteen-foot exterior width;

(iii) The roof shall be pitched with a minimum vertical rise of two and one-half inches for each twelve inches of horizontal run;

(iv) The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;

(v) The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and

(vi) The home shall have wheels, axles, transporting lights, and removable towing apparatus removed.

(b) The county board may not require additional standards unless such standards are uniformly applied to all single-family dwellings in the zoning district.

(c) Nothing in this subsection shall be deemed to supersede any valid restrictive covenants of record.

(4) For purposes of this section, manufactured home shall mean (a) a factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was built in compliance with National Manufactured Home Construction and Safety Standards, 24 C.F.R. 3280 et seq., promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in section 71-1557 bearing a seal in accordance with the Nebraska Uniform Standards for Modular Housing Units Act.

(5) Special districts or zones may be established in those areas subject to seasonal or periodic flooding, and such regulations may be applied as will minimize danger to life and property.

(6) The powers conferred by this section shall not be exercised within the limits of any incorporated city or village nor within the area over which a city or village has been granted zoning jurisdiction and is exercising such jurisdiction. At such time as a city or village exercises control over an unincorporated area by the adoption or amendment of a zoning ordinance, the ordinance or amendment shall supersede any resolution or regulation of the county.

Sec. 3. Original section 23-114, Revised Statutes Supplement, 1999, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.".

PRESIDENT MAURSTAD PRESIDING

The Schimek-Cudaback amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Cudaback moved for a call of the house. The motion prevailed with 15 ayes, 0 nays, and 34 not voting.

Senator Cudaback requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar
Baker
Brashear
Bruning
Byars
Chambers
Connealy
Cudaback
Dickey
Hartnett
Hudkins
Janssen
Jones
Kremer
Kristensen
Matzke
Quandahl
Raikes
Schimek
Schrock
Smith
Stuhr
Tyson
Wehrbein
Wickersham

Voting in the negative, 12:

Beutler
Bromm
Hilgert
Jensen
Landis
Lynch
Pedersen, Dw.
Preister
Price
Redfield
Schmitt
Thompson

Present and not voting, 10:

Bohlke
Bourne
Brown
Coordsen
Dierks
Engel
Kiel
Pederson, D.
Robak
Suttle

Excused and not voting, 2:

Crosby
Vrtiska

Advanced to E & R for review with 25 ayes, 12 nays, 10 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 289A. Title read. Considered.

Advanced to E & R for review with 26 ayes, 9 nays, 12 present and not voting, and 2 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1384. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to elevators; to amend section 48-418.12, Reissue Revised Statutes of Nebraska; to change provisions relating to rules and regulations; and to repeal the original section.

LEGISLATIVE BILL 1385. Introduced by Kiel, 9.

A BILL FOR AN ACT relating to vocational technical education; to provide for a committee; and to require a study.

LEGISLATIVE BILL 1386. Introduced by Brown, 6; Bourne, 8; Connealy, 16; Hilgert, 7; Dw. Pedersen, 39.

A BILL FOR AN ACT relating to peace officers; to adopt the Peace Officer Employer-Employee Relations Act.

LEGISLATIVE BILL 1387. Introduced by Landis, 46.

A BILL FOR AN ACT relating to fiduciaries; to amend section 30-3205, Reissue Revised Statutes of Nebraska; to change provisions relating to investment compensation; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1388. Introduced by Landis, 46; Dierks, 40; Suttle, 10.

A BILL FOR AN ACT relating to infants and juveniles; to provide for specialized placement for children in out-of-home care; to state intent; and to provide duties.

LEGISLATIVE BILL 1389. Introduced by Landis, 46.

A BILL FOR AN ACT relating to economic development; to adopt the Capital Access Program Act.

LEGISLATIVE BILL 1390. Introduced by Landis, 46.

A BILL FOR AN ACT relating to civil procedure; to provide a settlement escrow procedure; to state intent; and to provide duties.

LEGISLATIVE BILL 1391. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-1,107, Reissue Revised Statutes of Nebraska; to change provisions relating to disciplinary action as prescribed; and to repeal the original section.

LEGISLATIVE BILL 1392. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-245, 43-250, 43-251, 43-251.01, 43-253, 43-254, 43-258, 43-259, 43-272.01, 43-276, 43-284, 43-286, 43-290, 43-2,101, 43-2,129, 43-403, 43-413, 43-2412, and 83-4,125, Reissue Revised Statutes of Nebraska; to adopt the Nebraska County Juvenile Services Plan Act; to define terms; to require risk assessment for detention and type of detention; to change placement and transportation cost provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1393. Introduced by Hartnett, 45; Preister, 5;

Thompson, 14.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Supplement, 1999; to require the eradication of white perch; to state intent; to provide duties; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1394. Introduced by Beutler, 28; Baker, 44; Bohlke, 33; Bourne, 8; Brashear, 4; Brown, 6; Bruning, 3; Hartnett, 45; Hilgert, 7; Jensen, 20; Kiel, 9; Landis, 46; Lynch, 13; Matzke, 47; Dw. Pedersen, 39; D. Pederson, 42; Preister, 5; Price, 26; Quandahl, 31; Raikes, 25; Schimek, 27; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10; Thompson, 14.

A BILL FOR AN ACT relating to natural resources districts; to amend section 2-3234, Revised Statutes Supplement, 1999; to authorize eminent domain for acquisition of county roads; and to repeal the original section.

LEGISLATIVE BILL 1395. Introduced by Beutler, 28; Brashear, 4; Brown, 6; Bruning, 3; Byars, 30; Hartnett, 45; Jensen, 20; Kiel, 9; Landis, 46; Lynch, 13; Dw. Pedersen, 39; Preister, 5; Price, 26; Quandahl, 31; Raikes, 25; Schimek, 27; Suttle, 10; Thompson, 14; Wehrbein, 2.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend sections 37-101 and 37-102, Reissue Revised Statutes of Nebraska; to change the number of members and their qualifications; to require the Legislature to redistrict the state for purposes of appointing members to the commission; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1396. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to economic forecasting; to amend section 77-4603, Reissue Revised Statutes of Nebraska; to change provisions relating to recertification of estimates; and to repeal the original section.

LEGISLATIVE BILL 1397. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend sections 79-1003 and 79-1031, Revised Statutes Supplement, 1999; to adopt the Quality Professional Educators Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1398. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Employment and Investment Growth Act; to amend section 77-4105, Reissue Revised Statutes of Nebraska, and section 77-4104, Revised Statutes Supplement, 1999; to require in-kind contributions as part of agreements under the act; and to repeal the original sections.

LEGISLATIVE BILL 1399. Introduced by Bohlke, 33; Coordsen, 32; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to teachers; to provide for a salary study; and to declare an emergency.

LEGISLATIVE BILL 1400. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1003, 79-1007.02, 79-1028, and 79-1072.01, Revised Statutes Supplement, 1999; to provide for minimum teacher salary levels and teacher salary supplements; to define terms; to change provisions relating to calculation of local system formula need; to provide an exception to growth rate limitations; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1401. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to schools; to amend sections 79-237, 79-240, 79-4,101, 79-573, 79-583, 79-817, 79-1092, 85-1641, 85-1642, and 85-1657, Reissue Revised Statutes of Nebraska, sections 79-214, 79-238, 79-1008.02, 79-1032, 79-1125, and 79-1162, Revised Statutes Supplement, 1998, and sections 13-511, 79-442, 79-458, 79-528, 79-1003, 79-1008.01, 79-1009, 79-1015.01, 79-1028, 79-1035, 79-1072.01 to 79-1072.03, 79-10,124, 79-1142, and 79-1155, Revised Statutes Supplement, 1999; to change provisions relating to budgets, beginner grade entrance document requirements, the enrollment option program, reorganization plan hearings, report filing dates, warrants, expenditure limitations, state aid, temporary mitigation funds, the Hardship Fund, certain site and building funds, special education, and private postsecondary career schools; to change and eliminate provisions relating to duties of the School Finance Review Committee; to eliminate provisions relating to reserve teachers and the nonresident high school tuition fund; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-4,107, 79-8,102 to 79-8,105, and 79-1082, Reissue Revised Statutes of Nebraska, section 79-759, Revised Statutes Supplement, 1998, and section 79-1076, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1402. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to insurance; to require uniform prescription drug information cards for certain coverage.

LEGISLATIVE BILL 1403. Introduced by Kiel, 9; Smith, 48; Suttle, 10.

A BILL FOR AN ACT relating to schools; to amend section 71-503.01, Revised Statutes Supplement, 1998; to state findings; to define terms; to provide for testing for infectious diseases and conditions as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1404. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-128, Reissue Revised Statutes of Nebraska; to change a fee and authorize reimbursement for certain publication costs; to create a fund; and to repeal the original section.

LEGISLATIVE BILL 1405. Introduced by Hilgert, 7; Aguilar, 35; Baker, 44; Brashear, 4; Bruning, 3; Byars, 30; Coordsen, 32; Cudaback, 36; Dickey, 18; Dierks, 40; Engel, 17; Hartnett, 45; Hudkins, 21; Jensen, 20; Jones, 43; Kremer, 34; Dw. Pedersen, 39; Preister, 5; Quandahl, 31; Redfield, 12; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19; Wehrbein, 2.

A BILL FOR AN ACT relating to abortion; to adopt the Fetal Tissue Research Act; and to provide severability.

LEGISLATIVE BILL 1406. Introduced by Bohlke, 33; Jensen, 20; Suttle, 10; Wehrbein, 2.

A BILL FOR AN ACT relating to education; to amend sections 43-284 and 79-211, Reissue Revised Statutes of Nebraska, sections 79-215 and 79-1007.01, Revised Statutes Supplement, 1998, and sections 79-101 and 79-201, Revised Statutes Supplement, 1999; to provide for special-purpose education programs; to provide duties for the Department of Health and Human Services, the State Department of Education, and school districts; to define terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1407. Introduced by Appropriations Committee: Wehrbein, 2, Chairperson; Brown, 6; Engel, 17; Kiel, 9; Matzke, 47; D. Pederson, 42.

A BILL FOR AN ACT relating to child care; to amend section 68-1724, Reissue Revised Statutes of Nebraska; to authorize child-care expense reimbursement for low-income families as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1408. Introduced by Lynch, 13; Schrock, 38.

A BILL FOR AN ACT relating to medical assistance; to request approval for a demonstration project; and to provide an operative date.

LEGISLATIVE BILL 1409. Introduced by Stuhr, 24; Dierks, 40; Jones, 43.

A BILL FOR AN ACT relating to license plates; to provide for Nebraska Pioneer Farm Family License Plates; to provide powers and duties for the Department of Motor Vehicles; and to provide fees.

LEGISLATIVE BILL 1410. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to the bicentennial of the Lewis and Clark Expedition; to establish the Nebraska Lewis and Clark Bicentennial Commission; to create a fund; to provide a termination date; and to declare an emergency.

LEGISLATIVE BILL 1411. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to the Air and Water Pollution Control Tax Refund Act; to amend sections 77-27,149 to 77-27,155, Reissue Revised Statutes of Nebraska; to change refund eligibility; to rename the act; to provide intent; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1412. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to income tax; to amend section 77-2793, Reissue Revised Statutes of Nebraska; to change a statute of limitations for credits or refunds relating to overpayments; and to repeal the original section.

LEGISLATIVE BILL 1413. Introduced by Brashear, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1009 and 29-820, Reissue Revised Statutes of Nebraska, and sections 28-1006 and 28-1012, Revised Statutes Supplement, 1998; to change provisions relating to offenses against animals; and to repeal the original sections.

LEGISLATIVE BILL 1414. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 1999; to provide a tax credit for donations to public schools; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 1415. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to charitable and fraternal societies; to amend sections 21-609 and 21-622, Reissue Revised Statutes of Nebraska; to change provisions relating to bylaws, members, and property; to change a penalty; and to repeal the original sections.

LEGISLATIVE BILL 1416. Introduced by Bromm, 23; Byars, 30; Jensen, 20; Wehrbein, 2.

A BILL FOR AN ACT relating to government; to create a task force to study issues relating to health insurance coverage for public employees; and to declare an emergency.

LEGISLATIVE BILL 1417. Introduced by Jensen, 20; Byars, 30; Tyson, 19.

A BILL FOR AN ACT relating to public health and welfare; to require the disclosure of information relating to certain research to the Health and Human Services Committee of the Legislature.

LEGISLATIVE BILL 1418. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to public financing; to amend section 13-808, Reissue Revised Statutes of Nebraska, and sections 13-2530 and 13-2531, Revised Statutes Supplement, 1999; to adopt the Public Facilities Construction and Finance Act; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1419. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to motor vehicle dealers; to amend section 60-1407.03, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to special permits for sales at a place other than an established place of business; to harmonize provisions; to repeal the original section; and to outright repeal section 60-1407.05, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1420. Introduced by Bromm, 23; Janssen, 15; Jones, 43; Stuhr, 24; at the request of the Governor.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to amend sections 60-1303 and 81-2005, Reissue Revised Statutes of Nebraska; to provide powers and duties for carrier enforcement officers; to provide training; and to repeal the original sections.

LEGISLATIVE BILL 1421. Introduced by Bromm, 23; Dierks, 40; Jones, 43.

A BILL FOR AN ACT relating to railroads; to amend sections 74-608 and 74-609, Reissue Revised Statutes of Nebraska; to provide for penalties, liability, and civil actions against railroads that neglect or refuse to maintain rights-of-way; and to repeal the original sections.

LEGISLATIVE BILL 1422. Introduced by Bruning, 3.

A BILL FOR AN ACT relating to protection orders; to amend section 42-924, Reissue Revised Statutes of Nebraska; to change provisions relating to violations and penalties; and to repeal the original section.

LEGISLATIVE BILL 1423. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to horseracing; to adopt the Interstate Compact on Licensure of Participants in Horse Racing with Pari-Mutuel Wagering as prescribed.

LEGISLATIVE BILL 1424. Introduced by Preister, 5; Bourne, 8; Connealy, 16; Dierks, 40; Hilgert, 7; Redfield, 12.

A BILL FOR AN ACT relating to the State Employees Collective Bargaining Act; to amend sections 81-1380 and 81-1385, Reissue Revised Statutes of Nebraska; to change special master and appeal provisions; and to repeal the original sections.

LEGISLATIVE BILL 1425. Introduced by Tyson, 19; Bohlke, 33; Dierks, 40; Engel, 17; Janssen, 15; Jensen, 20; Jones, 43; Lynch, 13; Quandahl, 31; Robak, 22; Schmitt, 41.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for an electromechanical and industrial maintenance program and an Agricultural Educational Complex; to provide powers and duties for the Northeast Community College Area; and to declare an emergency.

LEGISLATIVE BILL 1426. Introduced by Tyson, 19; Aguilar, 35; Beutler, 28; Bohlke, 33; Dierks, 40; Engel, 17; Janssen, 15; Jensen, 20; Lynch, 13; Preister, 5; Quandahl, 31; Robak, 22; Schmitt, 41.

A BILL FOR AN ACT relating to livestock waste control facilities; to amend section 54-2404, Revised Statutes Supplement, 1999; to prohibit certain acts; and to repeal the original section.

LEGISLATIVE BILL 1427. Introduced by Jensen, 20; Beutler, 28; Byars, 30; Price, 26; Tyson, 19.

A BILL FOR AN ACT relating to the Nebraska Health Care Trust Fund Act; to amend sections 71-7606, 71-7607, and 71-7609 to 71-7611, Revised Statutes Supplement, 1998, and sections 71-7605, 71-7606.01, 71-7608, and 71-7614, Revised Statutes Supplement, 1999; to change the name of the act; to state intent; to eliminate a statement of findings; to rename funds and a council; to change and eliminate provisions relating to funding and using certain funds and membership on a council; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-7612, Revised Statutes Supplement, 1999.

LEGISLATIVE BILL 1428. Introduced by Raikes, 25; Beutler, 28; Schimek, 27.

A BILL FOR AN ACT relating to the Business Improvement District Act; to amend sections 19-4017.01, 19-4024, 19-4026, 19-4027, 19-4029, and 19-4030, Reissue Revised Statutes of Nebraska; to change provisions relating to assessments under the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1429. Introduced by Raikes, 25; Beutler, 28; Schimek, 27.

A BILL FOR AN ACT relating to the Business Improvement District Act; to amend sections 19-4017.01, 19-4018, 19-4021, and 19-4024 to 19-4034, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to assessments and taxes under the act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1430. Introduced by Raikes, 25; Wickersham, 49.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3446, Revised Statutes Supplement, 1998; to change base limitation provisions; and to repeal the original section.

LEGISLATIVE BILL 1431. Introduced by Matzke, 47; Wickersham, 49.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-315, Reissue Revised Statutes of Nebraska; to change provisions relating to the refund of fees; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 477. Title read. Considered.

The Standing Committee amendment, AM0642, found on page 832, First Session, 1999, was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 25 ayes, 1 nay, 21 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 367. Title read. Considered.

The Standing Committee amendment, AM0615, found on page 843, First Session, 1999, was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Connealy asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 29 ayes, 0 nays, 16 present and not

voting, and 4 excused and not voting.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

STANDING COMMITTEE REPORT
Government, Military and Veterans Affairs

LEGISLATIVE BILL 1126. Placed on General File.

(Signed) DiAnna R. Schimek, Chairperson

NOTICE OF COMMITTEE HEARING
Appropriations

Thursday, January 27, 2000 1:30 p.m.
Agency 83 – Community College Association

LB 1214 Thursday, January 27, 2000 1:30 p.m.

Thursday, January 27, 2000 1:30 p.m.
Agency 72 – Economic Development

LB 1217 Thursday, January 27, 2000 1:30 p.m.

Thursday, January 27, 2000 1:30 p.m.
Agency 18 – Agriculture
Agency 23 – Labor

(Signed) Roger R. Wehrbein, Chairperson

AMENDMENT - Print in Journal

Senator Matzke filed the following amendment to LB 482:
AM2059

(Amendments to Standing Committee amendments, AM0506)

1. On page 1, line 3, strike "Every" and insert "For adoptions decreed on or after January 1, 2000, every"; in line 8 strike "Finance and Support"; in line 10 strike "prior" through "of" and insert "during January of the year following"; in line 15 after the period insert "To be eligible for payment in the years subsequent to the adoption, the requirements of this section must be met for the entire year."; and in line 24 after the first period insert the following new subsection:

"(3) The department shall adopt and promulgate rules and regulations to carry out this section.".

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1432. Introduced by Agriculture Committee: Dierks, 40, Chairperson; Chambers, 11; Cudaback, 36; Dickey, 18; Hilgert, 7; Janssen, 15; Schrock, 38; and Coordsen, 32; Wehrbein, 2.

A BILL FOR AN ACT relating to agricultural tenants; to amend section 75-109, Revised Statutes Supplement, 1999; to adopt the Agricultural Suppliers Lease Protection Act; to change powers of the Public Service Commission; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1433. Introduced by Engel, 17.

A BILL FOR AN ACT relating to schools; to amend section 79-1070, Revised Statutes Supplement, 1998; to provide for loans and repayment thereof; and to repeal the original section.

LEGISLATIVE BILL 1434. Introduced by Robak, 22.

A BILL FOR AN ACT relating to public power; to prohibit competition with private business.

LEGISLATIVE BILL 1435. Introduced by Dw. Pedersen, 39.

A BILL FOR AN ACT relating to corrections; to amend section 29-2252, Reissue Revised Statutes of Nebraska, and section 29-2262, Revised Statutes Supplement, 1998; to adopt the Community-Based Alternative Sanctions Act; to eliminate the Community Correctional Facilities and Programs Act; to harmonize provisions; to repeal the original sections; to outright repeal sections 47-601, 47-602, and 47-604 to 47-618, Reissue Revised Statutes of Nebraska, and section 47-603, Revised Statutes Supplement, 1999; and to declare an emergency.

LEGISLATIVE BILL 1436. Introduced by Bohlke, 33; Aguilar, 35; Baker, 44; Bourne, 8; Brashear, 4; Bromm, 23; Brown, 6; Bruning, 3; Chambers, 11; Connealy, 16; Coordsen, 32; Engel, 17; Hartnett, 45; Hilgert, 7; Hudkins, 21; Janssen, 15; Jones, 43; Kiel, 9; Kremer, 34; Kristensen, 37; Landis, 46; Lynch, 13; Dw. Pedersen, 39; D. Pederson, 42; Preister, 5; Price, 26; Quandahl, 31; Raikes, 25; Redfield, 12; Robak, 22; Schmitt, 41; Schrock, 38; Smith, 48; Stuhr, 24; Suttle, 10; Tyson, 19; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to tobacco; to amend section 71-7611, Revised Statutes Supplement, 1998, and section 71-7608, Revised Statutes Supplement, 1999; to establish the Teen Tobacco Education and Prevention Project; to create a committee and a fund; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1437. Introduced by Jones, 43; Aguilar, 35; Bruning, 3; Dickey, 18; Hudkins, 21; Kremer, 34; Schmitt, 41; Schrock, 38; Tyson, 19; Wehrbein, 2.

A BILL FOR AN ACT relating to business entities; to amend sections 21-2602, 21-2606, 67-238, 67-240, 67-306, and 67-344, Reissue Revised Statutes of Nebraska, and sections 67-409 and 67-454, Revised Statues Supplement, 1998; to adopt the Family Farm and Ranch Transfer Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 1438. Introduced by Jones, 43; Baker, 44; Bromm, 23; Cudaback, 36; Dickey, 18; Dierks, 40; Hudkins, 21; Janssen, 15; Kremer, 34; Robak, 22; Schrock, 38; Smith, 48; Stuhr, 24; Tyson, 19.

A BILL FOR AN ACT relating to schools; to amend sections 77-2715 and 77-27,132, Reissue Revised Statutes of Nebraska, section 77-3442, Revised Statutes Supplement, 1998, and sections 79-1001, 79-1008.01, 79-1018.01, and 79-1022, Revised Statutes Supplement, 1999; to impose an income tax for support of schools; to change levy limitations; to create a fund; to provide for distribution of tax receipts; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1439. Introduced by Quandahl, 31.

A BILL FOR AN ACT relating to schools; to state intent relating to Class I and Class VI school districts; and to provide duties.

LEGISLATIVE BILL 1440. Introduced by Kiel, 9; Price, 26.

A BILL FOR AN ACT relating to banks and banking; to amend section 8-101, Revised Statutes Supplement, 1998, and section 8-157.01, Revised Statutes Supplement, 1999; to define a term; to limit automatic teller machine surcharges and provide information to customers as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 1441. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to education; to state intent relating to visual and performing arts; and to provide for rules and regulations.

LEGISLATIVE BILL 1442. Introduced by Kiel, 9; Beutler, 28; Chambers, 11; Connealy, 16; Dierks, 40; Landis, 46; Price, 26; Raikes, 25; Redfield, 12; Smith, 48; Tyson, 19.

A BILL FOR AN ACT relating to banks and banking; to prohibit disclosure of information as prescribed; and to provide a duty for the Revisor of Statutes.

LEGISLATIVE BILL 1443. Introduced by Kiel, 9; Price, 26.

A BILL FOR AN ACT relating to wages; to establish procedures for pay equity audits.

LEGISLATIVE BILL 1444. Introduced by Schrock, 38; Connealy, 16; Cudaback, 36; Dierks, 40; Jones, 43; Price, 26; Robak, 22; Smith, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2704.10, 77-2704.24, and 77-27,132, Reissue Revised Statutes of Nebraska, and section 79-1018.01, Revised Statutes Supplement, 1999; to provide for a sales tax on snack foods; to provide revenue for teacher's health insurance; to create a fund; to provide duties; to adjust the school aid formula; to harmonize provisions; to provide operative dates; and to repeal the original sections.

LEGISLATIVE BILL 1445. Introduced by Bromm, 23; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Wehrbein, 2; Wickersham, 49.

A BILL FOR AN ACT relating to railroads; to amend sections 39-2215, 66-489, 66-499, 66-4,105, 66-668, 66-674, 66-677, 66-6,107, 66-6,112, and 74-1320, Reissue Revised Statutes of Nebraska; to increase fuel taxes to fund railroad crossing projects; to change the excise tax rate on railroads transporting freight; to harmonize provisions; to provide operative dates; and to repeal the original sections.

GENERAL FILE

LEGISLATIVE BILL 725. Title read. Considered.

Senator Hartnett asked unanimous consent to bracket LB 725 until April 1, 2000. No objections. So ordered.

LEGISLATIVE BILL 182. Title read. Considered.

Pending.

MOTION - Suspend Rules

Senator Jensen moved to suspend the rules, Rule 3, Sec. 13, and cancel the public hearing on LB 1113.

The Jensen motion to suspend the rules prevailed with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARINGS

Health and Human Services

LB 1113	Wednesday, January 26, 2000 (cancel)	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Government, Military and Veterans Affairs

LB 1158	Thursday, January 27, 2000	1:30 p.m.
LB 1134	Thursday, January 27, 2000	1:30 p.m.
LB 937	Thursday, January 27, 2000	1:30 p.m.
LB 1190	Thursday, January 27, 2000	1:30 p.m.
LB 1206	Friday, January 28, 2000	1:30 p.m.
LB 1199	Friday, January 28, 2000	1:30 p.m.
LB 1196	Friday, January 28, 2000	1:30 p.m.
LB 1288	Friday, January 28, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

AMENDMENTS - Print in Journal

Senator Quandahl filed the following amendment to LB 175:
AM2065

1. On page 6, line 6, strike "five" and insert "three"; and in line 7 after "issuance" insert "and service".

Senator Beutler filed the following amendment to LB 289:
AM2075

(Amendments to AM2058)

1. On page 1, line 9, after the period insert "Failure to file such regulations and amendments shall not invalidate such regulations or amendments duly adopted by the county.".

Senator Brashear filed the following amendment to LB 509:
AM2074

1. Strike the original sections and insert the following new sections:

"Section 1. Section 28-105, Revised Statutes Supplement, 1998, is amended to read:

28-105. (1) For purposes of the Nebraska Criminal Code and any statute passed by the Legislature after the date of passage of the code, felonies are divided into nine classes which are distinguished from one another by the following penalties which are authorized upon conviction:

Class I felony ...... Death
Class IA felony ..... Life imprisonment without possibility of parole

Class IB felony ..... Maximum-life imprisonment
Minimum-twenty years imprisonment
Class IC felony ..... Maximum-fifty years imprisonment
Mandatory minimum-five years imprisonment
Class ID felony ..... Maximum-fifty years imprisonment
Mandatory minimum-three years imprisonment
Class II felony ..... Maximum-fifty years imprisonment
Minimum-one year imprisonment
Class III felony .... Maximum-twenty years imprisonment, or twenty-five thousand dollars fine, or both
Minimum-one year imprisonment
Class IIIA felony ... Maximum-five years imprisonment, or ten thousand dollars fine, or both
Minimum-none
Class IV felony ..... Maximum-five years imprisonment, or ten thousand dollars fine, or both
Minimum-none

(2) All sentences of imprisonment for Class IA, IB, IC, ID, II, and III felonies and sentences of one year or more for Class IIIA and IV felonies shall be served in institutions under the jurisdiction of the Department of Correctional Services. Sentences of less than one year shall be served in the county jail except as provided in this subsection. If the department certifies that it has programs and facilities available for persons sentenced to terms of less than one year, the court may order that any sentence of six months or more be served in any institution under the jurisdiction of the department. Any such certification shall be given by the department to the State Court Administrator, who shall forward copies thereof to each judge having jurisdiction to sentence in felony cases.

(3) Nothing in this section shall limit the authority granted in sections 29-2221 and 29-2222 to increase sentences for habitual criminals.

(4) A person convicted of a felony for which a mandatory minimum sentence is prescribed shall not be eligible for probation.

Sec. 2. Section 28-303, Reissue Revised Statutes of Nebraska, is amended to read:

28-303. A person commits murder in the first degree if he kills another person (1) purposely and with deliberate and premeditated malice, or (2) in the perpetration of or attempt to perpetrate any sexual assault in the first degree, arson, robbery, kidnapping, hijacking of any public or private means of transportation, ~~or~~ burglary, false imprisonment in the first degree, or sexual assault of a child or felony child abuse committed knowingly and intentionally, or (3) by administering poison or causing the same to be done; or if by willful and corrupt perjury or subornation of the same he or she purposely procures the conviction and execution of any innocent person. The determination of whether murder in the first degree under subdivision (1) or (3) of this section shall be punished as a Class I or Class IA felony shall be made pursuant to sections 29-2520 to 29-2524. Murder in the first degree under subdivision (2) of this section is a Class IA felony.

Sec. 3. Section 28-707, Revised Statutes Supplement, 1998, is amended to read:

28-707. (1) A person commits child abuse if he or she knowingly, intentionally, or negligently causes or permits a minor child to be:

(a) Placed in a situation that endangers his or her life or physical or mental health;

(b) Cruelly confined or cruelly punished;

(c) Deprived of necessary food, clothing, shelter, or care;

(d) Placed in a situation to be sexually exploited by allowing, encouraging, or forcing such minor child to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions; or

(e) Placed in a situation to be sexually abused as defined in section 28-319 or 28-320.01.

(2) The statutory privilege between patient and physician, between client and professional counselor, and between husband and wife shall not be available for excluding or refusing testimony in any prosecution for a violation of this section.

(3) Child abuse is a Class I misdemeanor if the offense is committed negligently.

(4) Child abuse is a Class IIIA felony if the offense is committed knowingly and intentionally and does not result in serious bodily injury as defined in section 28-109.

(5) Child abuse is a Class III felony if the offense is committed knowingly and intentionally and results in serious bodily injury as defined in such section.

~~(6) Child abuse is a Class IB felony if the offense is committed knowingly and intentionally and results in the death of such child.~~

Sec. 4. Section 29-2519, Reissue Revised Statutes of Nebraska, is amended to read:

29-2519. The Legislature hereby finds that it is reasonable and necessary to establish mandatory standards for the imposition of the sentence of death; that the imposition of the death penalty in every instance of the commission of the crimes specified in subdivisions (1) and (3) of section 28-303 fails to allow for mitigating factors which may dictate against the penalty of death; and that the rational imposition of the death sentence requires the establishment of specific legislative guidelines to be applied in individual cases by the court. The Legislature therefor determines that the death penalty should be imposed only for the crimes set forth in subdivisions (1) and (3) of section 28-303 and, in addition, that it shall only be imposed in those instances when the aggravating circumstances existing in connection with the crime outweigh the mitigating circumstances, as set forth in sections 29-2520 to 29-2524.

Sec. 5. Section 29-2520, Reissue Revised Statutes of Nebraska, is amended to read:

29-2520. Whenever any person is found guilty of a violation of subdivision (1) or (3) of section 28-303, the district court shall within seven days fix a date for hearing on determination of the sentence to be imposed. Such determination shall be made by: (1) The judge who presided at the trial or who accepted the plea of guilty; (2) a panel of three judges including the judge who presided or accepted the plea, the two additional judges having been designated by the Chief Justice of the Supreme Court after receiving a request therefor from the presiding judge; or (3) a panel of three district judges named by the Chief Justice of the Supreme Court when such Chief Justice has determined that the presiding judge is disabled or disqualified after receiving a suggestion of such disability or disqualification from the clerk of the court in which the finding of guilty was entered.

Sec. 6. Section 29-2524, Reissue Revised Statutes of Nebraska, is amended to read:

29-2524. Nothing in sections 25-1140.09, ~~28-303,~~ 28-313, and 29-2519 to 29-2546, and subdivisions (1) and (3) of section 28-303 shall be in any way deemed to repeal or limit existing procedures for automatic review of capital cases, nor shall they in any way limit the right of the Supreme Court to reduce a sentence of death to a sentence of life imprisonment in accordance with the provisions of section 29-2308, nor shall they limit the right of the Board of Pardons to commute any sentence of death to a sentence of life imprisonment.

Sec. 7. Original sections 28-303, 29-2519, 29-2520, and 29-2524, Reissue Revised Statutes of Nebraska, and sections 28-105 and 28-707, Revised Statutes Supplement, 1998, are repealed.".

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1446. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to fees; to amend sections 25-529, 25-531, 33-109, 33-130, and 84-1227, Reissue Revised Statutes of Nebraska; to provide funding for technology purchases; to provide a fee; to establish a fund; to create an advisory committee; to create duties for the Secretary of State; to eliminate an indexing fee; to harmonize provisions; to repeal the original sections; and to outright repeal section 33-112, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 1447. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to schools; to amend sections 10-704, 32-542, 32-1303, 79-234, 79-416, 79-422, 79-434, 79-449, 79-493, 79-494, 79-501, 79-502, 79-525, 79-554, 79-559, 79-570, 79-572, 79-580, 79-586, 79-587, 79-5,107, 79-728, 79-828, 79-1072, 79-1074, 79-1075, 79-10,100, 79-10,114, 79-10,120, and 79-1504, Reissue Revised Statutes of Nebraska, sections 77-27,119, 79-102, 79-403, 79-415, 79-423, 79-437, 79-440, 79-473, 79-519, 79-526, 79-576, 79-581, 79-594, 79-759, 79-1023, 79-1030, 79-1098, 79-10,101, 79-10,103, 79-10,111, 79-10,117, 79-10,118, 79-1108.02, and 79-1217, Revised Statutes Supplement, 1998, and sections 9-812, 13-508, 32-570, 32-1007, 48-303, 77-3444, 79-101, 79-203, 79-401, 79-413, 79-418, 79-419, 79-433, 79-443, 79-447, 79-452, 79-454, 79-455, 79-470, 79-479, 79-495, 79-499, 79-4,108, 79-524, 79-528, 79-544, 79-569, 79-577, 79-578, 79-579, 79-588, 79-598, 79-605, 79-611, 79-758, 79-850, 79-960, 79-1003, 79-1005.01, 79-1024, 79-1026, 79-1027.01, 79-1028, 79-1029, 79-1036, 79-1045, 79-1072.01, 79-1089, 79-1090, 79-10,110, 79-1310, and 79-1605, Revised Statutes Supplement, 1999; to eliminate Class I and Class VI school districts; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; to outright repeal sections 10-716.01, 32-541, 32-546, 79-402, 79-404, 79-410, 79-417, 79-477, 79-4,100, 79-4,101, 79-4,102, 79-4,104, 79-523, 79-541, 79-542, 79-553, 79-563, 79-568, 79-585, 79-5,108, 79-716, 79-717, 79-8,110, 79-10,123, and 79-10,125, Reissue Revised Statutes of Nebraska, sections 79-406, 79-411, 79-4,109, 79-4,110, 79-4,111, 79-548, 79-565, 79-1099, 79-10,113, 79-10,121, and 79-10,122, Revised Statutes Supplement, 1998, and sections 79-424, 79-425, 79-426, 79-427, 79-431, 79-472, 79-478, 79-492, 79-4,103, 79-540, 79-556, 79-557, 79-558, 79-1076, 79-1077, 79-1078, 79-1083.02, 79-1083.03, and 79-10,124, Revised Statutes Supplement, 1999; and to declare an emergency.

VISITORS

Visitors to the Chamber were Senator Stuhr's husband, Boyd, from Bradshaw; John Muller, Jay Upright, Mike Morrison, Myrv Christopherson, Fred Brown, Phil Dudley, Jennifer Braaten, Roger Koehler, Jeanie Watson, and Lowell Hagele, presidents and representatives of the Private Colleges and Universities of Nebraska; Marv Westcott from Holdrege; Michael Svoboda from Lincoln; students and sponsors from Omaha Catholic Home School; and Jack Kneifl from Lexington.

The Doctor of the Day was Dr. John Majerus from Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Friday, January 21, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

ELEVENTH DAY - JANUARY 21, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

ELEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 21, 2000

PRAYER

The prayer was offered by Reverend L. Owen Cervantes, Peru Community Church, Peru, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Crosby and Vrtiska who were excused; and Senators Coordsen, Dierks, Kiel, Landis, Lynch, Price, Robak, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the tenth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills and resolutions:

LB/LR	**Committee**
LB 1113	Appropriations (rereferred)
LB 1293	Revenue
LB 1294	Revenue
LB 1295	Transportation and Telecommunications
LB 1296	Judiciary
LB 1297	Natural Resources
LB 1298	Health and Human Services
LB 1299	Health and Human Services
LB 1300	Health and Human Services
LB 1301	Urban Affairs
LB 1302	Revenue

LB 1303	Revenue
LB 1304	Government, Military and Veterans Affairs
LB 1305	Revenue
LB 1306	Urban Affairs
LB 1307	Revenue
LB 1308	Government, Military and Veterans Affairs
LB 1309	Business and Labor
LB 1310	Business and Labor
LB 1311	Business and Labor
LB 1312	Business and Labor
LB 1313	Government, Military and Veterans Affairs
LB 1314	Appropriations
LB 1315	Urban Affairs
LB 1316	Revenue
LB 1317	Transportation and Telecommunications
LB 1318	Banking, Commerce and Insurance
LB 1319	Government, Military and Veterans Affairs
LB 1320	Urban Affairs
LB 1321	Health and Human Services
LB 1322	Transportation and Telecommunications
LB 1323	Education
LB 1324	Education
LB 1325	Judiciary
LB 1326	Appropriations
LB 1327	Natural Resources
LB 1328	Education
LB 1329	Education
LB 1330	Revenue
LB 1331	Natural Resources
LB 1332	Transportation and Telecommunications
LB 1333	Transportation and Telecommunications
LB 1334	Education
LB 1335	Education
LB 1336	Education
LB 1337	Transportation and Telecommunications
LB 1338	Revenue
LB 1339	Revenue
LB 1340	Revenue
LB 1341	Banking, Commerce and Insurance
LB 1342	Business and Labor
LB 1343	Natural Resources
LB 1344	Judiciary
LB 1345	Revenue
LB 1346	General Affairs
LB 1347	Government, Military and Veterans Affairs
LB 1348	Agriculture
LB 1349	Appropriations
LB 1350	Natural Resources
LB 1351	Revenue

LB 1352	Health and Human Services
LB 1353	Revenue
LB 1354	Revenue
LB 1355	Natural Resources
LB 1356	Natural Resources
LB 1357	Transportation and Telecommunications
LB 1358	Revenue
LR 298	Government, Military and Veterans Affairs
LR 299	Revenue

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARING
Judiciary

LB 972	Friday, January 28, 2000	1:30 p.m.
LB 1296	Friday, January 28, 2000	1:30 p.m.

Friday, January 28, 2000 1:30 p.m.
Proposal designating the Nebraska State Treasurer's Office as the vendor to operate the State Disbursement Unit for receiving the disbursing child support payments, as provided in LB 637, 1999

(Signed) Kermit A. Brashear, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 20, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Blank, Robert – Omaha; Metro Right to Life
Brinkman, Jennifer – Lincoln; City of Lincoln
Hamer, Patti – Elkhorn; League of Women Voters of Nebraska
Peters, William E. – Lincoln; Nebraska State Buffalo Association
Rodenburg, Susan Larson – Lincoln; Kissel/E&S Associates, L.L.C.
Schmidt, Tom – St. Paul; Pfizer Inc.
Setzepfandt, Scott – Lakeville; HLR Service Corporation
Withem, Ron – Lincoln; University of Nebraska

GENERAL FILE

LEGISLATIVE BILL 182. Considered.

The Standing Committee amendment, AM0671, found on page 855, First Session, 1999, was considered.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM2085
(Amendments to Standing Committee amendments, AM0671)

1. Strike section 5.

2. On page 3, line 14, after the period insert "In a school district with multiple public high schools, the school board may adopt separate publication codes for each public high school within the district or may delegate, to one or more of the principals or administrators of the district's public high schools, the authority to adopt a separate publication code for the high school of which he or she is the principal or administrator."; in line 19 after the period insert "Unless otherwise specified in the publications code, the school administrator or his or her designee shall have the authority to verify compliance with the publications code prior to the publication or distribution of any school-sponsored student publication."; and in line 24 after the period insert "The school administrator or his or her designee shall have the authority to verify compliance with the terms of the Student Freedom of Expression Act prior to the publication or distribution of any school-sponsored student publication.".

3. Renumber the remaining sections and correct internal references accordingly.

Senator Stuhr requested a division of the question on the Beutler amendment.

The Chair sustained the division of the question.

The first Beutler amendment, to the Standing Committee amendment, is as follows:
FA268
(Amendments to Standing Committee amendments, AM0671)

1. Strike section 5.

Senator Connealy asked unanimous consent to be excused until he returns. No objections. So ordered.

The first Beutler amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

The second Beutler amendment, to the Standing Committee amendment, is as follows:
FA269
(Amendments to Standing Committee amendments, AM0671)

2. On page 3, line 14, after the period insert "In a

school district with multiple public high schools, the school board may adopt separate publication codes for each public high school within the district or may delegate, to one or more of the principals or administrators of the district's public high schools, the authority to adopt a separate publication code for the high school of which he or she is the principal or administrator."; in line 19 after the period insert "Unless otherwise specified in the publications code, the school administrator or his or her designee shall have the authority to verify compliance with the publications code prior to the publication or distribution of any school-sponsored student publication."; and in line 24 after the period insert "The school administrator or his or her designee shall have the authority to verify compliance with the terms of the Student Freedom of Expression Act prior to the publication or distribution of any school-sponsored student publication.".

3. Renumber the remaining sections and correct internal references accordingly.

The second Beutler amendment was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Failed to advance to E & R for review with 17 ayes, 23 nays, 6 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARINGS

Revenue

LB 924	Friday, January 28, 2000	1:30 p.m.
LB 948	Friday, January 28, 2000	1:30 p.m.
LB 962	Friday, January 28, 2000	1:30 p.m.
LB 1082	Friday, January 28, 2000	1:30 p.m.
LB 1099	Friday, January 28, 2000	1:30 p.m.
LB 1109	Friday, January 28, 2000	1:30 p.m.
LB 1270	Friday, January 28, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

Transportation and Telecommunications

Monday, January 31, 2000 1:15 p.m.
Motor Vehicles, Director
Beverly Neth

LB 1004	Monday, January 31, 2000	1:15 p.m.
LB 1026	Monday, January 31, 2000	1:15 p.m.
LB 1089	Monday, January 31, 2000	1:15 p.m.

LB 1186	Monday, January 31, 2000	1:15 p.m.
LB 1218	Monday, January 31, 2000	1:15 p.m.
LB 1287	Monday, January 31, 2000	1:15 p.m.
LB 1050	Tuesday, February 1, 2000	1:30 p.m.
LB 1080	Tuesday, February 1, 2000	1:30 p.m.
LB 1097	Tuesday, February 1, 2000	1:30 p.m.
LB 1240	Tuesday, February 1, 2000	1:30 p.m.
LB 1285	Tuesday, February 1, 2000	1:30 p.m.

(Signed) Curt Bromm, Chairperson

Agriculture

LB 1092	Tuesday, February 1, 2000	1:30 p.m.
LB 1079	Tuesday, February 1, 2000	1:30 p.m.
LB 1009	Tuesday, February 1, 2000	1:30 p.m.
LB 1052	Tuesday, February 1, 2000	1:30 p.m.

(Signed) Merton L. Dierks, Chairperson

REPORTS

The following reports were received by the Legislature:

Legislative Child Support Commission
Report submitted to the Nebraska Supreme Court and the Executive Board of the Legislative Council

Health and Human Services System
407 Review of the Nebraska Oriental Medicine Association's Proposal to License the Practice of Acupuncture
New Hire Report to the Legislature
Number of licenses suspended under the License Suspension Act, Neb. Rev. Stat. Sec. 43-3301 to 43-3326 Annual Report

Legislative Research Division
Boards and Commissions in Nebraska, 1999 Report

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 970. Placed on General File.

LEGISLATIVE BILL 188. Placed on General File as amended.
(Standing Committee amendment, AM1985, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 969. Placed on General File as amended.
Standing Committee amendment to LB 969:
AM2053

1. Insert the following new section:
"Sec. 8. This act becomes operative on January 1, 2001.".
2. Renumber the remaining section accordingly.

(Signed) Curt Bromm, Chairperson

Revenue

LEGISLATIVE BILL 942. Placed on General File.
LEGISLATIVE BILL 944. Placed on General File.
LEGISLATIVE BILL 1066. Placed on General File.

(Signed) William R. Wickersham, Chairperson

Agriculture

The Agriculture Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Beginning Farmer Board
Roy Frederick
Harry Knobbe
Dale Pohlmann
Gerald Timmerman
Bill Zutavern

VOTE: Aye: Senators Chambers, Cudaback, Dickey, Dierks, Hilgert, Janssen, and Schrock. Nay: None. Absent: Senator Vrtiska.

(Signed) Merton L. Dierks, Chairperson

ANNOUNCEMENTS

The Urban Affairs Committee designates LB 1258 as its priority bill.

Senator Preister designates LB 717 as his priority bill.

Senator Engel designates LB 1004 as his priority bill.

GENERAL FILE

LEGISLATIVE BILL 482. Title read. Considered.

The Standing Committee amendment, AM0506, found on page 717, First

Session, 1999, was considered.

Senator Matzke withdrew his amendment, AM0620, found on page 821, First Session, 1999.

Senator Matzke renewed his pending amendment, AM2059, found on page 360, to the Standing Committee amendment.

The Matzke amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

LB 1178	Monday, January 31, 2000	1:30 p.m.
LB 1208	Monday, January 31, 2000	1:30 p.m.
LB 1209	Monday, January 31, 2000	1:30 p.m.
LB 1256	Monday, January 31, 2000	1:30 p.m.
LB 954	Tuesday, February 1, 2000	1:30 p.m.
LB 1038	Tuesday, February 1, 2000	1:30 p.m.
LB 1121	Tuesday, February 1, 2000	1:30 p.m.
LB 1181	Tuesday, February 1, 2000	1:30 p.m.

(Signed) David M. Landis, Chairperson

ANNOUNCEMENT

The Revenue Committee designates LB 968 as its priority bill.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE RESOLUTION 6CA. Placed on Select File as amended.
E & R amendment to LR 6CA:
AM7164

1. On page 1, line 2, strike "FIRST" and insert "SECOND".

LEGISLATIVE BILL 534. Placed on Select File as amended.
E & R amendment to LB 534:

AM7165

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 49-501.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-501.01. The session laws and journal of the Legislature shall be compiled and published by the Clerk of the Legislature after each regular session of the Legislature. The session laws and journal may be published in print or electronic format or in both formats. The session laws ~~in suitably bound volumes. Said publication~~ shall contain all the laws passed by the preceding session as well as those passed during any special session since the last regular session. The clerk shall distribute two copies of the session laws and journal to each person who was a member of the Legislature by which the laws were enacted. The clerk shall provide the session laws and journals to the Secretary of State for distribution pursuant to sections 49-501 to 49-509.01. ~~The session laws shall be assembled so as to make possible their earliest publication.~~

Sec. 2. Section 49-503, Reissue Revised Statutes of Nebraska, is amended to read:

49-503. The county clerk of each county shall make a requisition upon the Secretary of State for copies of the session laws and the journal of the Legislature for the use of the county of which he or she is clerk. The county clerk shall make the requisition for session laws based on the classification of the county by population as provided in section 23-1114.01. A Class 1 county may request a maximum of three sets, a Class 2 county may request a maximum of five sets, a Class 3 county may request a maximum of seven sets, a Class 4 county may request a maximum of ten sets, a Class 5 county may request a maximum of twelve sets, a Class 6 county may request a maximum of twenty sets, and a Class 7 county may request a maximum of twenty-five sets. The county clerk shall make a requisition for less than the maximum amount authorized if he or she finds that a lesser amount is sufficient for the needs of the county. The county clerk shall make a requisition for one copy of the journal of the Legislature. The Secretary of State shall forward the session laws and journal to each county by the most expeditious and economic means and in print or electronic format as he or she determines, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

Sec. 3. Section 49-506, Revised Statutes Supplement, 1999, is amended to read:

49-506. After the Secretary of State has made the distribution provided by section 49-503, he or she shall deliver additional copies of the session laws and the journal of the Legislature pursuant to this section in print or electronic format as he or she determines, upon recommendation by the Clerk of the

Legislature and approval of the Executive Board of the Legislative Council.

One copy of the session laws shall be delivered to the Lieutenant Governor, the State Treasurer, the Auditor of Public Accounts, the Reporter of the Supreme Court and Court of Appeals, the State Court Administrator, the State Fire Marshal, the Department of Administrative Services, the Department of Aeronautics, the Department of Agriculture, the Department of Banking and Finance, the State Department of Education, the Department of Environmental Quality, the Department of Insurance, the Department of Labor, the Department of Motor Vehicles, the Department of Property Assessment and Taxation, the Department of Revenue, the Department of Roads, the Department of Veterans' Affairs, the Department of Water Resources, the Military Department, the Nebraska State Patrol, the Nebraska Commission on Law Enforcement and Criminal Justice, each of the Nebraska state colleges, the Game and Parks Commission, the Nebraska Library Commission, the Nebraska Liquor Control Commission, the Nebraska Natural Resources Commission, the Nebraska Accountability and Disclosure Commission, the Public Service Commission, the State Real Estate Commission, the Nebraska State Historical Society, the Public Employees Retirement Board, the Risk Manager, the Legislative Fiscal Analyst, the Public Counsel, the materiel division of the Department of Administrative Services, the State Records Administrator, the budget division of the Department of Administrative Services, the Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, the Department of Health and Human Services Finance and Support, the Tax Equalization and Review Commission, the inmate library at all state penal and correctional institutions, and the Library of Congress; two copies to the Governor, the Secretary of State, the Nebraska Workers' Compensation Court, the Commission of Industrial Relations, and the Coordinating Commission for Postsecondary Education, one of which shall be for use by the community colleges; four copies to the Nebraska Publications Clearinghouse; five copies to the Attorney General; ~~eight copies to the Clerk of the Legislature;~~ nine copies to the Revisor of Statutes; sixteen copies to the Supreme Court and the Legislative Council; and thirty-five copies to the University of Nebraska College of Law.

One copy of the journal of the Legislature shall be delivered to the Governor, the Lieutenant Governor, the State Treasurer, the Auditor of Public Accounts, the Reporter of the Supreme Court and Court of Appeals, the State Court Administrator, the Nebraska State Historical Society, the Legislative Fiscal Analyst, the Tax Equalization and Review Commission, and the Library of Congress; two copies to the Secretary of State, the Commission of Industrial Relations, and the Nebraska Workers' Compensation Court; four copies to the Nebraska Publications

Clearinghouse; five copies to the Attorney General and the Revisor of Statutes; eight copies to the Clerk of the Legislature; thirteen copies to the Supreme Court and the Legislative Council; and thirty-five copies to the University of Nebraska College of Law. The remaining copies shall be delivered to the State Librarian who shall use the same, so far as required for exchange purposes, in building up the State Library and in the manner specified in sections 49-507 to 49-509.

Sec. 4. Section 49-507, Reissue Revised Statutes of Nebraska, is amended to read:

49-507. The State Librarian or his or her designee shall issue one copy each of the session laws and journals to the United States District Attorney, United States Marshal, the register and receiver of the United States land offices in the state, and ~~to~~ each United States Commissioner residing in the state. The State Librarian shall determine whether the copies issued are in print or a reasonably available electronic format, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

Sec. 5. Section 49-509, Reissue Revised Statutes of Nebraska, is amended to read:

49-509. Any remaining copies of the session laws and journals in the hands of the State Librarian shall be sold by the Supreme Court at a price of fifteen dollars for bound print copies of the session laws and forty dollars for bound print copies of the journal, except that after two years have elapsed from the date of publication, the court may sell any bound print copies of the session laws and journals at a price of twenty-five cents per volume. Any remaining copies of the session laws and journals in electronic format shall be sold by the Supreme Court at a price not to exceed the amount necessary to recover the cost of production, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

The proceeds shall be ~~turned into~~ remitted to the General Fund. ~~of the state treasury.~~ When there is no longer a demand for session laws and journals over two years old, the Supreme Court may dispose of such session laws and journals in such manner as it deems proper.

Sec. 6. Section 49-509.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-509.01. The Clerk of the Legislature is hereby authorized and directed to sell unbound print copies of the session laws and unbound print copies of the daily journal of each legislative session at such price as shall be prescribed by the Executive Board of the Legislative Council, which price shall not exceed the amount necessary to recover costs. For the unbound print journal and laws of a special session, when published separately from that of a regular session, the price shall be as recommended by the Clerk of the Legislature and approved by the

Executive Board of the Legislative Council.

Sec. 7. Section 84-1205.02, Reissue Revised Statutes of Nebraska, is amended to read:

84-1205.02. (1) Until July 1, 2001, except as provided in sections 49-509, 52-1316, and 60-483 and section 9-411, Uniform Commercial Code, the board may establish reasonable fees for electronic access to public records through the gateway.

(2) Beginning on July 1, 2001, except ~~Except~~ as provided in sections 49-509, 52-1316, and 60-483 and article 9, Uniform Commercial Code, the board may establish reasonable fees for electronic access to public records through the gateway.

(3) The fees shall not exceed the statutory fee for distribution of the public records in other forms. Any fee established by the board under this section may be collected for an eighteen-month period and shall terminate at the end of such period unless enacted by the Legislature. Any fees collected under this section shall be deposited in the Records Management Cash Fund.

Sec. 8. Section 85-177, Reissue Revised Statutes of Nebraska, is amended to read:

85-177. In order to enable the library of the College of Law to augment its collections, the librarian of the College of Law of the University of Nebraska is authorized to requisition from the respective officer having custody thereof up to one hundred copies of the following state publications: Nebraska Reports, Nebraska Appellate Reports, Legislative Journals, Session Laws, replacement volumes and supplements to the Revised Statutes, and Opinions of the Attorney General. The copies of the Legislative Journals and Session Laws may be provided in print or electronic format as the Secretary of State determines, upon recommendation by the Clerk of the Legislature and approval of the Executive Board of the Legislative Council.

Sec. 9. Original sections 49-501.01, 49-503, 49-507, 49-509, 49-509.01, 84-1205.02, and 85-177, Reissue Revised Statutes of Nebraska, and section 49-506, Revised Statutes Supplement, 1999, are repealed.

Sec. 10. The following section is outright repealed: Section 49-508.01, Reissue Revised Statutes of Nebraska.

Sec. 11. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 1, strike beginning with "49-506" in line 2 through "change" in line 5 and insert "49-507, 49-509, 49-509.01, 84-1205.02, and 85-177, Reissue Revised Statutes of Nebraska, and section 49-506, Revised Statutes Supplement, 1999; to change and eliminate"; and in line 8 after the semicolon insert "to outright repeal section 49-508.01, Reissue Revised Statutes of Nebraska;".

LEGISLATIVE BILL 523. Placed on Select File as amended.
E & R amendment to LB 523:
AM7171

1. On page 1, strike beginning with "71-1,132.05" in line 1 through "Nebraska" in line 2 and insert "71-1,132.01, 71-1,132.05, 71-1,132.17, and 71-1,132.31, Reissue Revised Statutes of Nebraska, and section 71-1,132.11, Revised Statutes Supplement, 1999"; in line 3 after the second semicolon insert "to change powers and duties of the Board of Nursing; to change provisions relating to the use of certain titles;"; and in line 4 after the semicolon insert "to harmonize provisions;".

2. On page 4, line 20, strike "party's" and insert "party state's".

3. On page 14, line 23, strike "practice" and insert "licensure".

LEGISLATIVE BILL 410. Placed on Select File as amended.
E & R amendment to LB 410:
AM7170

1. On page 1, line 3, after "Nebraska" insert ", and section 71-1907, Revised Statutes Supplement, 1998"; and in line 4 strike "restraints" and insert "restraint and occupant protection systems".

LEGISLATIVE BILL 153. Placed on Select File as amended.
E & R amendment to LB 153:
AM7168

1. In the Thompson amendment, AM1952, on page 1, line 2, after "2000" insert a comma.

LEGISLATIVE BILL 153A. Placed on Select File as amended.
E & R amendment to LB 153A:
AM7169

1. On page 1, line 3; and page 2, lines 4 and 5, strike "First Session, 1999" and insert "Second Session, 2000".

2. On page 2, line 2, strike "FY1999-00" and insert "FY2000-01".

LEGISLATIVE BILL 288. Placed on Select File as amended.
E & R amendment to LB 288:
AM7166

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 83-4,143, Reissue Revised Statutes of Nebraska, is amended to read:

83-4,143. (1) It is the intent of the Legislature that the court target the felony offender (a) who is experiencing his or her first prison sentence, (b) for whom the court finds that other conditions of a sentence of probation, in and of themselves, are not suitable, and (c) who, without the existence of an incarceration work camp, would, in all likelihood, be sentenced to prison. It is the further intent of the Legislature that prior offenders who were incarcerated for minor nonviolent offenses are not automatically ineligible to be placed in an incarceration work camp as a condition of a sentence of probation.

(2) When the court is of the opinion that imprisonment is appropriate, but that a brief and intensive period of incarceration may better serve the interests of society, the court may place an offender in an incarceration work camp for a period not to exceed one hundred eighty days as a condition of a sentence of probation. The court may consider such placement if the offender (a) is a male or female offender who is convicted as an adult, (b) is ~~determined to be~~ medically and mentally fit to participate, with allowances given for reasonable accommodation as determined by medical and mental health professionals, (c) has not previously been incarcerated for a violent felony crime, and (d) has not demonstrated chronic violent behavior. Offenders convicted of a crime under sections 28-319 to 28-321 or of any capital crime are not eligible to be placed in an incarceration work camp.

Sec. 2. Original section 83-4,143, Reissue Revised Statutes of Nebraska, is repealed.".

2. On page 1, strike lines 2 through 4 and insert "83-4,143, Reissue Revised Statutes of Nebraska; to change provisions relating to placement of offenders; and to repeal the original section.".

LEGISLATIVE BILL 582. Placed on Select File as amended.
E & R amendment to LB 582:
AM7167

1. On page 1, line 3, after "measures" insert "and personnel issues".

Correctly Engrossed

The following bills were correctly engrossed: LBs 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, and 894.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 151. Title read. Considered.

Advanced to E & R for review with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 509. Title read. Considered.

Senator Brashear renewed his pending amendment, AM2074, found on page 364.

Pending.

STANDING COMMITTEE REPORT
Government, Military and Veterans Affairs

LEGISLATIVE BILL 935. Placed on General File.

(Signed) DiAnna R. Schimek, Chairperson

NOTICE OF COMMITTEE HEARING
Business and Labor

Monday, January 31, 2000 1:30 p.m.
Commission of Industrial Relations
William Blake
G. Pete Burger

LB 1269	Monday, January 31, 2000	1:30 p.m.
LB 1309	Monday, January 31, 2000	1:30 p.m.
LB 1221	Monday, January 31, 2000	1:30 p.m.
LB 1257	Monday, January 31, 2000	1:30 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

AMENDMENT - Print in Journal

Senator Brashear filed the following amendment to LB 509:
AM2084

(Amendments to AM2074)

1. Insert the following new sections:

"Section 1. Section 28-101, Revised Statutes Supplement, 1999, is amended to read:

28-101. Sections 28-101 to 28-1348 and section 9 of this act shall be known and may be cited as the Nebraska Criminal Code.

Sec. 5. Section 29-2204.01, Reissue Revised Statutes of Nebraska, is amended to read:

29-2204.01. (1) In any criminal proceeding in which a sentence of confinement has been imposed and the particular law under which such sentence was pronounced is thereafter amended to decrease the maximum period of confinement which may be imposed, then any person sentenced under the former law shall be entitled to his or her discharge from custody when he or she has served the maximum period of confinement authorized by the new law, notwithstanding the fact that the court may have ordered a longer period of confinement under the authority of the former law.

(2) Subsection (1) of this section does not apply to criminal proceedings in which a sentence of death has been imposed. The punishment for a prohibited act subject to a penalty of death that is committed (a) on or after the effective date of an

amendatory act that mitigates the punishment for such prohibited act but (b) prior to the entry of a final judgment against a defendant convicted of committing such prohibited act shall not be reduced to the punishment provided in the amendatory act but shall remain subject to the punishment in effect at the time of commission of the prohibited act.

Sec. 9. The changes to the Nebraska Criminal Code adopted by this legislative bill shall not apply to any offense committed prior to the effective date of this act. Such an offense shall be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if this act had not been enacted.".

2. On page 6, line 10, after the first comma insert "29-2204.01,"; in line 11 strike "and"; and in line 12 after the third comma insert "and section 28-101, Revised Statutes Supplement, 1999,".

3. Renumber the remaining sections accordingly.

WITHDRAW - Cointroducer

Senator Kristensen withdrew his name as cointroducer to LB 1269.

UNANIMOUS CONSENT - Add Cointroducers

Senator Price asked unanimous consent to have her name added as cointroducer to LB 950, LB 1274, and LB 1335. No objections. So ordered.

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 1276 and LB 1393. No objections. So ordered.

Senators Schimek, Connealy, and Hartnett asked unanimous consent to have their names added as cointroducers to LB 1410. No objections. So ordered.

Senator Cudaback asked unanimous consent to have his name added as cointroducer to LB 1421. No objections. So ordered.

Senator D. Pederson asked unanimous consent to have his name added as cointroducer to LB 1248. No objections. So ordered.

Senator Suttle asked unanimous consent to have her name added as cointroducer to LB 922. No objections. So ordered.

VISITORS

Visitors to the Chamber were Rose, Anastasia, Matthias, and Kristin Cervantes from Peru; Representative Doug Bereuter from the First District; 38 Dental Hygienists from across the state; 84 members and parents from the Homestead Girl Scout Council, Lincoln; Sloan Matzke from Seward; and Bill and Laura Silk from Omaha.

The Doctor of the Day was Dr. Jay Matzke from Seward.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Monday, January 24, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

TWELFTH DAY - JANUARY 24, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWELFTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 24, 2000

PRAYER

The prayer was offered by Pastor Joe Bockerman, Auburn Berean Church, Auburn, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senator Kristensen who was excused; and Senators Bohlke, Kiel, Landis, Price, Robak, Schimek, Schmitt, and Schrock who were excused until they arrive.

PRESIDENT MAURSTAD PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the eleventh day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills:

LB/LR	Committee
LB 1313	Urban Affairs (rereferred)
LB 1359	Natural Resources
LB 1360	Natural Resources
LB 1361	Transportation and Telecommunications
LB 1362	Transportation and Telecommunications
LB 1363	Business and Labor
LB 1364	Education
LB 1365	Government, Military and Veterans Affairs
LB 1366	Health and Human Services

LB 1367	Urban Affairs
LB 1368	Revenue
LB 1369	Appropriations
LB 1370	Urban Affairs
LB 1371	Urban Affairs
LB 1372	Revenue
LB 1373	Transportation and Telecommunications
LB 1374	Revenue
LB 1375	Transportation and Telecommunications
LB 1376	Revenue
LB 1377	Natural Resources
LB 1378	Urban Affairs
LB 1379	Education
LB 1380	Judiciary
LB 1381	Natural Resources
LB 1382	Agriculture
LB 1383	Judiciary
LB 1384	Business and Labor
LB 1385	Education
LB 1386	Judiciary
LB 1387	Banking, Commerce and Insurance
LB 1388	Health and Human Services
LB 1389	Banking, Commerce and Insurance
LB 1390	Judiciary
LB 1391	Judiciary
LB 1392	Government, Military and Veterans Affairs
LB 1393	Natural Resources
LB 1394	Natural Resources
LB 1395	Natural Resources
LB 1396	Appropriations
LB 1397	Education
LB 1398	Revenue
LB 1399	Education
LB 1400	Education
LB 1401	Education
LB 1402	Banking, Commerce and Insurance
LB 1403	Education
LB 1404	Transportation and Telecommunications
LB 1405	Judiciary
LB 1406	Education
LB 1407	Health and Human Services
LB 1408	Health and Human Services
LB 1409	Transportation and Telecommunications
LB 1410	Government, Military and Veterans Affairs
LB 1411	Revenue
LB 1412	Revenue
LB 1413	Judiciary
LB 1414	Revenue
LB 1415	Government, Military and Veterans Affairs

LB 1416	Banking, Commerce and Insurance
LB 1417	Health and Human Services
LB 1418	Revenue
LB 1419	Transportation and Telecommunications
LB 1420	Transportation and Telecommunications
LB 1421	Transportation and Telecommunications
LB 1422	Judiciary
LB 1423	General Affairs
LB 1424	Business and Labor
LB 1425	Appropriations
LB 1426	Natural Resources
LB 1427	Health and Human Services
LB 1428	Revenue
LB 1429	Revenue
LB 1430	Revenue
LB 1431	Transportation and Telecommunications
LB 1432	Agriculture
LB 1433	Education
LB 1434	Natural Resources
LB 1435	Judiciary
LB 1436	Education
LB 1437	Banking, Commerce and Insurance
LB 1438	Revenue
LB 1439	Education
LB 1440	Banking, Commerce and Insurance
LB 1441	Education
LB 1442	Banking, Commerce and Insurance
LB 1443	Business and Labor
LB 1444	Revenue
LB 1445	Transportation and Telecommunications
LB 1446	Transportation and Telecommunications
LB 1447	Education

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENT

Senator Tyson designates LB 1425 as his priority bill.

GENERAL FILE

LEGISLATIVE BILL 509. Senator Brashear renewed his pending amendment, AM2084, found on page 383, to his pending amendment, AM2074, found on page 364 and considered on page 382.

Senators Beutler and Dierks asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Raikes asked unanimous consent to be excused. No objections. So ordered.

Senator Bruning requested a record vote on the Brashear amendment, AM2084.

Voting in the affirmative, 25:

Beutler	Bohlke	Bourne	Brashear	Bromm
Brown	Byars	Chambers	Connealy	Crosby
Dierks	Engel	Hilgert	Lynch	Pedersen, Dw.
Preister	Price	Redfield	Robak	Schimek
Smith	Suttle	Thompson	Wehrbein	Wickersham

Voting in the negative, 10:

Aguilar	Baker	Bruning	Hartnett	Hudkins
Jensen	Jones	Matzke	Quandahl	Tyson

Present and not voting, 10:

Coordsen	Cudaback	Dickey	Janssen	Kremer
Pederson, D.	Schmitt	Schrock	Stuhr	Vrtiska

Excused and not voting, 4:

Kiel	Kristensen	Landis	Raikes

The Brashear amendment was adopted with 25 ayes, 10 nays, 10 present and not voting, and 4 excused and not voting.

Pending.

NOTICE OF COMMITTEE HEARINGS
General Affairs

Monday, January 31, 2000 1:30 p.m.
Nebraska Arts Council
Meredith Zutavern

(Signed) Ray Janssen, Chairperson

Education

LB 1272	Monday, January 31, 2000	1:30 p.m.
LB 1328	Monday, January 31, 2000	1:30 p.m.
LB 1323	Monday, January 31, 2000	7:00 p.m.
LB 1397	Monday, January 31, 2000	7:00 p.m.

LB 1399	Monday, January 31, 2000	7:00 p.m.
LB 1400	Monday, January 31, 2000	7:00 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

STANDING COMMITTEE REPORTS
Nebraska Retirement Systems

LEGISLATIVE BILL 743. Placed on General File as amended.
Standing Committee amendment to LB 743:
AM1975

1. Strike the original sections and insert the following new sections:

"Section 1. Section 23-2307, Reissue Revised Statutes of Nebraska, is amended to read:

23-2307. Each employee who is a member of the retirement system shall pay to the county or have picked up by the county a sum equal to four and one-half percent of his or her compensation for each pay period. The county shall pick up the employee contributions required by this section for all compensation paid on or after January 1, 1985, and the contributions so picked up shall be treated as employer contributions in determining federal tax treatment under the Internal Revenue Code, except that the county shall continue to withhold federal income taxes based upon these contributions until the Internal Revenue Service or the federal courts rule that, pursuant to section 414(h) of the Internal Revenue Code, these contributions shall not be included as gross income of the employee until such time as they are distributed or made available. The county shall pay these employee contributions from the same source of funds which is used in paying earnings to the employee. The county shall pick up these contributions by a compensation deduction either through a reduction in the cash compensation of the employee or a combination of a reduction in compensation and offset against a future compensation increase. Employee contributions picked up shall be treated for all purposes of the County Employees Retirement Act in the same manner and to the extent as employee contributions made prior to the date picked up.

Sec. 2. This act becomes operative on January 1, 2001.

Sec. 3. Original section 23-2307, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 831. Indefinitely postponed.

(Signed) Elaine R. Stuhr, Chairperson

Natural Resources

LEGISLATIVE BILL 900. Placed on General File as amended.

Standing Committee amendment to LB 900:
AM2082

1. Strike original sections 134 and 175 and insert the following new sections:

"Sec. 103. Section 46-231, Reissue Revised Statutes of Nebraska, is amended to read:

46-231. Each appropriation shall be determined in its priority and amount by the time at which it is made and the amount of water which the works are constructed to carry. An appropriator shall at no time be entitled to the use of more than he or she can beneficially use for the purposes for which the appropriation has been made, and the amount of any appropriation made by means of enlargement of the distributing works shall be determined in like manner.

An ~~No~~ allotment from the natural flow of streams for irrigation shall not exceed one cubic foot per second of time for each seventy acres of land ~~nor~~ and shall not exceed three acre-feet in the aggregate during one calendar year for each acre of land for which such appropriation ~~shall~~ ~~have~~ has been made, and ~~no~~ an allotment shall not exceed the least amount of water that experience may indicate is necessary, in the exercise of good husbandry, for the production of crops. Such limitations ~~shall~~ do not apply to storage waters or to water appropriations transferred pursuant to sections 46-2,122 to 46-2,125 and 46-2,127 to 46-2,129.

When storage water is being used in addition to the natural flow, the person in charge of the ditch or canal shall, upon his or her request and within twenty-four hours thereof, be notified in writing by the user of such storage waters of the time of withdrawal from natural streams to be distributed according to law.

When an appropriation is for irrigation purposes and the amount is so small that a proper distribution and application is ~~impossible~~ impractical, as much water as the applicant can use without waste may be allotted for a limited time so fixed by the department as to give each appropriator his or her just share without violating other rights, so long as (1) the volume of water used in a twenty-four-hour period does not exceed the amount of water that would otherwise have been allowed at the approved fixed continuous rate for a twenty-four-hour period or (2) the volume of water used in a seven-day, Monday-through-Sunday period does not exceed the amount of water that would otherwise have been allowed at the approved fixed continuous rate for a seven-day period. The department shall determine schedules among appropriators to assure that other rights are not violated.

Sec. 135. Section 46-294, Reissue Revised Statutes of Nebraska, is amended to read:

46-294. (1) The Director of ~~Water~~ Natural Resources shall approve an application filed pursuant to section 46-290 if:

(a) ~~(1)~~ The requested change of location is within the same river basin, will not adversely affect any other water appropriator, and will not significantly adversely affect any riparian water user who files an objection in writing prior to the hearing;

(b) ~~(2)~~ The requested change will use water from the same source of supply as the current use;

(c) ~~(3)~~ The change of location will not diminish the supply of water otherwise available;

(d) ~~(4)~~ The water will be applied to a use in the same preference category as the current use, as provided in section 46-204; and

(e) ~~(5)~~ The requested change is in the public interest.

The applicant ~~shall have~~ has the burden of proving that the change of location will comply with subdivisions ~~(1) through (5) of this section~~ (a) through (e) of this subsection, except that the burden ~~shall be~~ is on the riparian user to demonstrate his or her riparian status and to demonstrate a significant adverse effect on his or her use in order to prevent approval of an application.

(2) In approving an application, the director may impose any reasonable conditions deemed necessary to protect the public interest. An approved change of location shall retain the same priority date as that of the original water right. In approving an application, the director may (a) authorize a greater number of acres to be irrigated if the amount and rate of water approved under the original appropriation is not increased by the change of location or (b) authorize the overlying of water appropriations on the same lands as long as the limits provided in section 46-231 are not exceeded.

Sec. 176. Section 46-637, Reissue Revised Statutes of Nebraska, is amended to read:

46-637. The use of water described in section 46-636 may only be made after securing a permit from the Department of ~~Water~~ Natural Resources for such use. If the applicant is an individual, the application for a permit shall include the applicant's social security number. In approving or disapproving applications for such permits, the Director of ~~Water~~ Natural Resources shall take into account the effect that such pumping may have on the amount of water in the stream and its ability to meet the requirements of appropriators from the stream. This section ~~shall~~ does not apply to (1) water wells located within fifty feet of the bank of any natural stream which were in existence on ~~September 9, 1993,~~ the operative date of this act and (2) replacement water wells as defined in ~~subsection (3) of~~ section 46-602 that are located within fifty feet of the banks of a stream if the water wells being replaced were originally constructed prior to ~~September 9, 1993,~~ the operative date of this act and were located within fifty feet of the bank of any natural stream.".

2. On page 5, line 8, after "Resources" insert "or by the commission to the extent such power is statutorily granted to

the commission".

3. On page 259, line 2, after "46-230," insert "46-231,".

4. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 901. Placed on General File as amended.
Standing Committee amendment to LB 901:
AM2083

1. Strike section 4 and insert the following new sections:

"Section 1. Section 11-201, Revised Statutes Supplement, 1998, is amended to read:

11-201. It shall be the duty of the Risk Manager:

(1) To prescribe the amount, terms, and conditions of any bond when the amount or terms are not fixed by any specific statute. The Risk Manager, in prescribing the amount, deductibles, conditions, and terms, shall consider the type of risks to be bonded, the relationship of the bond premium to risks involved, the past and projected trends for bond premiums, the ability of the Tort Claims Fund, the State Self-Insured Property Fund, and state agencies to pay the deductibles, and any other factors the manager may, in his or her discretion, deem necessary in order to accomplish the provisions of sections 2-1201, 3-103, 8-104, 8-105, 11-119, 11-121, 11-201, 37-110, 48-158, 48-609, 48-618, 48-721, 48-804.03, 53-109, 55-123, 55-126, 55-127, 55-150, 57-917, 60-1303, 60-1502, ~~71-1,132.11,~~ 71-1,206.13, 71-222.01, 72-1241, 80-401.02, 81-111, 81-151, 81-8,128, 81-1108.14, 81-2002, 83-128, 84-106, 84-206, and 84-801;

(2) To pass upon the sufficiency of and approve the surety on the bonds of all officers and employees of the state, when approval is not otherwise prescribed by any specific statute;

(3) To arrange for the writing of corporate surety bonds for all the officers and employees of the state who are required by statute to furnish bonds;

(4) To arrange for the writing of the blanket corporate surety bond required by this section; and

(5) To order the payment of corporate surety bond premiums out of the State Insurance Fund created by section 81-8,239.02.

All state employees not specifically required to give bond by section 11-119 shall be bonded under a blanket corporate surety bond for faithful performance and honesty in an amount not to exceed one million dollars.

The Risk Manager may separately bond any officer, employee, or group thereof under a separate corporate surety bond for performance and honesty pursuant to the standards set forth in subdivision (1) of this section if the corporate surety will not bond or excludes from coverage any officer, employee, or group thereof under the blanket bond required by this section, or if the

Risk Manager finds that the reasonable availability or cost of the blanket bond required under this section is adversely affected by any of the following factors: The loss experience, types of risks to be bonded, relationship of bond premium to risks involved, past and projected trends for bond premiums, or any other factors.

Surety bonds of ~~public power district directors, as required by section 70-617,~~ collection agencies, as required by section 45-608, and detective agencies, as required by section 71-3207, shall be approved by the Secretary of State. The Attorney General shall approve all bond forms distributed by the Secretary of State.

Sec. 2. Section 46-154, Reissue Revised Statutes of Nebraska, is amended to read:

46-154. The board of directors shall provide a payment for each director of not to exceed ~~fifty~~ seventy dollars per day for each day that a director attends meetings of the board or is engaged in matters concerning the district, but not to exceed two thousand eight hundred dollars per annum. Each director shall also be paid necessary traveling expenses actually incurred while engaged in the performance of his or her duties, including mileage at the rate provided in section 81-1176 for state employees. The board shall fix the compensation to be paid to the other officers named in sections 46-101 to 46-1,111, including the secretary, the assessor, and the treasurer to be paid out of the treasury of the district. The board may also employ a chief engineer, an attorney, and such other agents, assistants, and employees as may be necessary and provide for their compensation.

Sec. 3. Section 70-609, Reissue Revised Statutes of Nebraska, is amended to read:

70-609. Immediately upon the filing of the certificate in the office of the Secretary of State and in the office of ~~such~~ the county clerk, the members of the board of directors named in the petition, or appointed by the Governor in case the district has within its boundaries twenty-five or more cities and villages, shall qualify as provided for in ~~sections~~ section 70-616 ~~and 70-617,~~ and immediately assume the duties of their office. Failure or refusal to qualify shall be deemed to create a vacancy, which shall be filled as provided in section 70-615. The first meeting of the board of directors shall be called by the director first named in the petition who qualifies.

Sec. 4. Section 70-624.02, Reissue Revised Statutes of Nebraska, is amended to read:

70-624.02. The members of the board of directors shall be paid their actual expenses, while engaged in the business of the district under the authority of the board of directors, and, for their services, such compensation as shall be fixed by the board of directors.

The boards of directors of those districts with gross revenue of less than forty million dollars may fix compensation at not to exceed ~~four thousand eight hundred~~ six thousand seven hundred twenty dollars per year as to all members except the president and not exceeding ~~five thousand four hundred~~ seven thousand five hundred sixty dollars a year as to the president.

The boards of directors of those districts with gross revenue of forty million dollars or more may fix compensation at not to exceed ~~nine thousand six hundred~~ thirteen thousand four hundred forty dollars per year as to all members except the president or chairperson of the board and not exceeding ~~ten thousand eight hundred~~ fifteen thousand one hundred twenty dollars per year as to the president or chairperson of the board. All salaries and compensation shall be obligations against and be paid solely from the revenue of the district. No director shall receive any other compensation from the district, except as provided in this section, during the term for which he or she was elected or appointed or in the year following the expiration of his or her term, and resignation from such board of directors shall not be construed as the termination of the term of office for which he or she was elected or appointed. A member of the board of directors of a public power district organized under the laws of this state shall not be limited to service on the board of directors in the district in which he or she has been elected so as to preclude service in similar positions of trust on a state, regional, or national level which are the result of his or her membership as a director on such board. For time expended in his or her duties in such position of trust, the director shall not be limited to any existing provisions of law of this state relating to payment of per diem for services as a member of such board of directors, but shall be entitled to receive such additional compensation as may be provided for such service, regardless of the fact that such compensation may be paid from funds to which his or her district has made contributions in the form of dues or otherwise.

Sec. 5. Section 70-624.03, Reissue Revised Statutes of Nebraska, is amended to read:

70-624.03. The board of directors may establish a plan of insurance, designed and intended for the benefit of the employees of the district and the dependents of employees of the district, and, in the discretion of the board, expend funds of the district for the payment of premiums for such employees' and dependents' group, franchise, or wholesale insurance policies. Members of the board of directors of the district may be considered employees for purposes of this section. The dollar amount of any health insurance premiums paid from the funds of the district for the benefit of a member of the board of directors may be in addition to ~~shall not exceed~~ the amount of compensation authorized to be paid to such director pursuant to section 70-624.02.

Sec. 9. Original sections 46-154, 70-609, 70-624.02, 70-624.03, 70-1001, 70-1003, and 70-1023, Reissue Revised Statutes of Nebraska, and section 11-201, Revised Statutes Supplement, 1998, are repealed.

Sec. 10. The following section is outright repealed: Section 70-617, Reissue Revised Statutes of Nebraska.".

2. On page 6, line 16, after "shall" insert "annually".

3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 283. Indefinitely postponed.
LEGISLATIVE BILL 338. Indefinitely postponed.
LEGISLATIVE BILL 823. Indefinitely postponed.

The Natural Resources Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Environmental Quality Council
Robert E. Bettger

Nebraska Ethanol Board
Dave Hilferty

Game and Parks Commission
Randall Stinnette
Marvin Westcott

VOTE: Aye: Senators Bromm, Hudkins, Jones, Kremer, Schrock, and Stuhr. Nay: None. Absent: Senators Bruning and Preister.

(Signed) Edward J. Schrock, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1157. Placed on General File as amended.
Standing Committee amendment to LB 1157:
AM2092

1. Insert the following new section:

"Sec. 3. Section 39-1606, Reissue Revised Statutes of Nebraska, is amended to read:

39-1606. Any resident property owner desiring to file for the office of trustee of a road improvement district may file for such office with the county clerk or election commissioner of the county in which the greater proportion in area of the district is located, ~~not later than forty-five days before the election~~ on or before the deadline provided in subsection (2) of section 32-606, by paying a filing fee of five dollars. At the first meeting of the trustees of such district after the election of one or more members at an election pursuant to section 32-551, the board shall elect one of their number president. Such district shall be a body corporate and politic by name of Road Improvement District No. .... of .... County or .... Counties, as the case may be, with power to sue, be sued, contract, acquire and hold property, and adopt a common seal. Each trustee shall receive as his or her salary the sum of five dollars for each meeting.".

2. On page 3, line 22, after the comma insert "the board of trustees of a road improvement district,".

3. On page 4, line 14, after "Original" insert "section 39-1606, Reissue Revised Statutes of Nebraska, and".

4. Renumber the remaining sections accordingly.

(Signed) DiAnna R. Schimek, Chairperson

GENERAL FILE

LEGISLATIVE BILL 509. The Brashear pending amendment, AM2074, found on page 364 and considered on pages 382 and 389, as amended, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

Senator Bruning requested a record vote on the Brashear amendment.

Voting in the affirmative, 16:

Beutler Bohlke Brashear Chambers Connealy
Crosby Dierks Engel Hilgert Kiel
Lynch Pedersen, Dw. Robak Schimek Suttle
Thompson

Voting in the negative, 28:

Aguilar Baker Bourne Bromm Brown
Bruning Byars Coordsen Cudaback Dickey
Hartnett Hudkins Janssen Jensen Jones
Kremer Matzke Pederson, D. Price Quandahl
Redfield Schrock Smith Stuhr Tyson
Vrtiska Wehrbein Wickersham

Present and not voting, 2:

Preister Schmitt

Excused and not voting, 3:

Kristensen Landis Raikes

The Brashear amendment, as amended, lost with 16 ayes, 28 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 658. Placed on Select File as amended.
E & R amendment to LB 658:
AM7172

1. On page 1, line 2, after the second comma insert "9-338,".

LEGISLATIVE BILL 626. Placed on Select File as amended.
E & R amendment to LB 626:
AM7173

1. On page 1, strike beginning with the comma in line 3 through line 6 and insert "to 87-125, Reissue Revised Statutes of Nebraska.".
2. On page 2, line 1, strike "18" and insert "19".
3. On page 3, line 5, strike "and".
4. On page 4, line 24, after the last comma insert "or".
5. On page 7, line 6, strike "Secretary of State" and insert "secretary"; and in line 27 after "upon" insert "the".
6. On page 8, line 25, strike "10" and insert "11".
7. On page 11, line 25, strike "8" and insert "9".
8. On page 13, line 7, strike "practical" and insert "practicable"; and in line 18 strike "17" and insert "18".
9. On page 14, line 4, strike "15" and insert "16".
10. On page 17, line 8, strike beginning with the first comma through "and" and insert "to"; and strike beginning with the first comma in line 9 through "1998" in line 10.

LEGISLATIVE BILL 289. Placed on Select File as amended.
E & R amendment to LB 289:
AM7175

1. On page 1, line 2, strike "1998" and insert "1999"; and in line 4 strike "and" and after "section" insert "; and to declare an emergency".

LEGISLATIVE BILL 289A. Placed on Select File as amended.
E & R amendment to LB 289A:
AM7176

1. On page 1, line 3; and page 2, line 5, strike "First

Session, 1999" and insert "Second Session, 2000".

LEGISLATIVE BILL 477. Placed on Select File as amended.
E & R amendment to LB 477:
AM7174

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. (1) The Nebraska Grape and Winery Board is created. The board shall consist of five members to be appointed by the Governor on a nonpartisan basis. All board members shall be (a) citizens of Nebraska, (b) at least twenty-one years of age, and (c) either engaged in or previously engaged in wine or grape production or research in this state. At least two board members shall be members of the Nebraska Winery and Grape Growers Association. In addition, the Director of Agriculture and the vice chancellor of the University of Nebraska Institute of Agriculture and Natural Resources or their designees shall be ex officio members of the board but shall have no vote in board matters.

(2) Whenever a vacancy occurs on the board for any reason, the Governor shall appoint an individual to fill such vacancy pursuant to the qualifications set forth in subsection (1) of this section.

Sec. 2. (1) Within thirty days after the appointment of the initial members of the Nebraska Grape and Winery Board, such board shall conduct its first regular meeting. During that meeting, the board members shall elect from among themselves, by majority vote, a chairperson, vice-chairperson, secretary, and treasurer, all to serve for terms of one year from the date of election. Subsequent board meetings shall take place at least once every six months and at such times as called by the chairperson or by any three board members.

(2) Each board member shall serve for a term of three years, upon completion of which he or she may, at the Governor's discretion, be reappointed.

(3) All voting board members shall be reimbursed for their actual and necessary expenses, as provided for in sections 81-1174 to 81-1177, while attending meetings of the board or while engaged in the performance of official responsibilities as determined by the board.

(4) A board member shall be removable by the Governor for cause. The board member shall first be given a written copy of the charges against him or her and also an opportunity to be heard publicly. In addition to all other causes, the failure of a board member to continue to meet any of the requirements for eligibility set out in section 1 of this act shall be deemed sufficient cause for removal from office.

Sec. 3. The duties and responsibilities of the Nebraska Grape and Winery Board include, but are not limited to, the following:

(1) To establish a public forum whereby any producer of wine, grapes, or other wine-producing agricultural products has the opportunity, at least once annually, to discuss with the board its policy and procedures;

(2) To keep minutes of its meetings and other books and records which will clearly reflect all of the acts and transactions of the board and to make these records available for examination upon request by members of the public;

(3) To authorize and approve the Director of Agriculture's expenditure of funds collected pursuant to section 4 of this act;

(4) To serve as an advisory panel to the Nebraska Liquor Control Commission in all matters pertaining to the wine industry; and

(5) To adopt and promulgate rules and regulations to carry out this act.

Sec. 4. Each Nebraska winery shall pay to the Nebraska Liquor Control Commission twenty dollars for every ton of grapes crushed by its facility. Gifts, grants, or bequests may be received for the support of the Nebraska Grape and Winery Board. Funds paid pursuant to the charge imposed by this section and funds received from gifts, grants, or bequests shall be remitted to the State Treasurer for credit to the Winery and Grape Producers Promotional Account which is hereby created as part of the Agricultural Products Marketing Information Cash Fund created by section 81-2,164.03. Funds credited to the account shall be appropriated annually for use by the Director of Agriculture, at the direction of and in cooperation with the board, to develop and maintain programs for the research and advancement of the growing, selling, marketing, and promotion of grapes, fruits, berries, honey, and other agricultural products and their byproducts grown and produced in Nebraska for use in the wine industry. Such expenditures may include, but are not limited to, all necessary funding for the employment of experts in the fields of viticulture and enology, as deemed necessary by the board, and programs aimed at improving the promotion of all varieties of wines, grapes, fruits, berries, honey, and other agricultural products and their byproducts grown and produced in Nebraska for use in the wine industry.

Funds credited to the account shall be used for no other purposes than those stated in this section. Any funds not expended during a fiscal year may be maintained in the account for distribution or expenditure during subsequent fiscal years.

Sec. 5. The Nebraska Grape and Winery Board shall make and publish an annual report on or before January 1 of each year, which report shall set forth in detail the following:

(1) The name and address of each board member and a copy of all rules and regulations adopted and promulgated by the board; and

(2) A detailed explanation of all programs for which the board approved funding that fiscal year, pursuant to section 4 of this act, for the research, discovery, promotion, and development of programs for the growing, production, and marketing of Nebraska wines, grapes, fruits, berries, honey, and other agricultural products and their byproducts grown and produced in Nebraska for use in the wine industry.

Each annual report shall be presented to the Nebraska Liquor Control Commission within thirty days after its publication and made available also to any person who requests a copy. Except for the annual copy required by this section to be provided to the commission, the board may charge a nominal fee to cover the costs of printing and postage for making available copies of its annual reports.".

2. On page 1, line 1, strike "alcoholic liquor" and insert "wine".

LEGISLATIVE BILL 367. Placed on Select File as amended.
E & R amendment to LB 367:
AM7178

1. In the Standing Committee amendments, AM0615:

a. On page 1, line 19, strike "section" and insert "act"; and

b. On page 2, lines 11 and 20; and page 3, line 21, strike "2000" and insert "2001".

2. On page 1, strike beginning with "amend" in line 1 through line 5 and insert "provide membership requirements for planning commissions in cities of the primary class; to state intent; and to define terms.".

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Natural Resources

LEGISLATIVE BILL 747. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

Revenue

LEGISLATIVE BILL 967. Placed on General File as amended.
Standing Committee amendment to LB 967:
AM2086

1. Insert the following new sections:

"Section 1. Section 77-202.04, Revised Statutes Supplement, 1998, is amended to read:

77-202.04. Persons, corporations, or organizations denied exemption from taxation for real or tangible personal property by a county board of equalization may appeal to the Tax Equalization and Review Commission. The county assessor may appeal the grant of an exemption from taxation for real or tangible personal property by a county board of equalization to the Tax Equalization and Review Commission. The Property Tax Administrator may in his or her discretion intervene in any such appeal pursuant to this section.

Sec. 3. Section 77-5009, Revised Statutes Supplement, 1998, is amended to read:

77-5009. (1) The commission may employ legal, clerical, and other assistants as may be necessary to carry out the powers and duties of the commission.

(2)(a) For purposes of finding facts ~~or in the performance of other duties~~ with regard to any matters relating to taxation, the commission may appoint by an order in writing a special master or special masters whose duties are prescribed in the order, except that the duties of a special master shall not include the determination of conclusions of law or the final disposition of any case or controversy.

(b) Special masters may be paid a salary or fee in the discretion of the commission. If a salary is paid, the amount paid shall be fixed by the commission, and if a fee is paid, the amount paid shall be in accordance with the value of the service rendered and shall be agreed upon and approved by the commission before the special master renders service under his or her appointment.

(c) The claim for services rendered shall be certified by the commission and paid as provided by law for other claims against the state.

(3) In the discharge of his or her duties a special master shall have all the investigative and factfinding powers of the commission in deciding any tax dispute.

(4)(a) The commission may conduct a number of factfindings contemporaneously through different special masters and may delegate to a special master the taking of all testimony bearing upon any investigation or hearing.

(b) The decision of the commission shall be based upon its examination of all testimony and records.

(c) The recommendations made by any special master shall be advisory only and shall not preclude the taking of further testimony if the commission orders further investigation.

Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 3, line 6, strike "information" and insert "evidence" and strike "the hearing" and insert "such hearing and the hearings held pursuant to section 77-5023 for that year".

3. On page 6, line 28, after "petition" insert "and the appropriate docket fees" and after "Appeals" insert "and delivery of a copy of the petition to the commission".

4. On page 7, line 9, after "served" insert "on all

parties"; and in line 15 after the period insert "No bond or undertaking is required for an appeal to the Court of Appeals.".

5. On page 10, line 14, strike "section" and insert "sections 77-202.04, 77-5009, and".

6. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 895. Indefinitely postponed.
LEGISLATIVE BILL 945. Indefinitely postponed.
LEGISLATIVE BILL 949. Indefinitely postponed.
LEGISLATIVE BILL 1006. Indefinitely postponed.
LEGISLATIVE BILL 1036. Indefinitely postponed.
LEGISLATIVE BILL 1039. Indefinitely postponed.
LEGISLATIVE BILL 1042. Indefinitely postponed.
LEGISLATIVE BILL 1043. Indefinitely postponed.
LEGISLATIVE BILL 1073. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

Natural Resources

LEGISLATIVE BILL 999. Placed on General File.

LEGISLATIVE BILL 902. Indefinitely postponed.
LEGISLATIVE BILL 939. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

State Foster Care Review Board
Barbara Heckman

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Tyson, Price, and Dickey. Nay: None. Absent: None.

The Health and Human Services Committee desires to report favorable upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Rural Health Advisory Commission
Todd Stuckey, M.D.
Lisa Yank

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Tyson, Price, and Dickey. Nay: None. Absent: None.

The Health and Human Services Committee desires to report favorable upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Board of Emergency Medical Services
Chris Becker
Bruce Beins
Randall Datus
Michael Grutsch
Gerald Matzke

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Tyson, Price, and Dickey. Nay: None. Absent: None.

(Signed) Jim Jensen, Chairperson

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

LB 1108	Wednesday, February 2, 2000	1:30 p.m.
LB 1120	Wednesday, February 2, 2000	1:30 p.m.
LB 1141	Wednesday, February 2, 2000	1:30 p.m.
LB 1144	Wednesday, February 2, 2000	1:30 p.m.
LB 1189	Wednesday, February 2, 2000	1:30 p.m.
LB 1299	Wednesday, February 2, 2000	1:30 p.m.
LB 1025	Thursday, February 3, 2000	1:30 p.m.
LB 1029	Thursday, February 3, 2000	1:30 p.m.
LB 1140	Thursday, February 3, 2000	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Appropriations

Monday, January 31, 2000 1:30 p.m.
Agency 48 – Postsecondary Education
Agency 50 – State College System
Agency 51 – University Systemwide

LB 1175	Monday, January 31, 2000	1:30 p.m.
LB 1232	Monday, January 31, 2000	1:30 p.m.

Tuesday, February 1, 2000 1:30 p.m.
Agency 34 – Library Commission
Agency 47 – Educational Telecommunications
Agency 70 – Foster Care Review Board
Agency 76 – Indian Commission

LB 1224	Tuesday, February 1, 2000	1:30 p.m.

LB 1326	Tuesday, February 1, 2000	1:30 p.m.

LB 952	Monday, February 7, 2000	1:30 p.m.
LB 1064	Monday, February 7, 2000	1:30 p.m.
LB 1113	Monday, February 7, 2000	1:30 p.m.
LB 1163	Monday, February 7, 2000	1:30 p.m.
LB 1215	Monday, February 7, 2000	1:30 p.m.
LB 1233	Monday, February 7, 2000	1:30 p.m.

Monday, February 7, 2000 1:30 p.m.
Agency 20 – HHS Registration and Licensure
Agency 25 – Health and Human Services
Agency 26 – HHS Finance and Support

Tuesday, February 8, 2000 1:30 p.m.
Agency 13 – Education
Agency 65 – Department of Administrative Services

LB 1172	Tuesday, February 8, 2000	1:30 p.m.
LB 1216	Tuesday, February 8, 2000	1:30 p.m.
LB 1242	Tuesday, February 8, 2000	1:30 p.m.
LB 1259	Tuesday, February 8, 2000	1:30 p.m.
LB 1011	Tuesday, February 8, 2000	1:30 p.m.

Wednesday, February 9, 2000 1:30 p.m.
Agency 16 – Revenue
Agency 52 – Agriculture Board
Agency 54 – State Historical Society
Agency 93 – Tax Equalization and Review
Agency 96 – Department of Property Taxation and Assessment

LB 1185	Wednesday, February 9, 2000	1:30 p.m.
LB 1219	Wednesday, February 9, 2000	1:30 p.m.
LB 1247	Wednesday, February 9, 2000	1:30 p.m.

Thursday, February 10, 2000 1:30 p.m.
Agency 3 – Legislative Council
Agency 7 – Governor
Agency 9 – Secretary of State
Agency 85 – Employees Retirement Board

(Signed) Roger R. Wehrbein, Chairperson

Transportation and Telecommunications

LB 1002	Tuesday, February 1, 2000	1:30 p.m.

(Signed) Curt Bromm, Chairperson

AMENDMENTS - Print in Journal

Senator Baker filed the following amendment to LB 410:
AM2096

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 60-6,267, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,267. (1) Any person ~~who resides~~ in Nebraska ~~and~~ who drives any motor vehicle which has or is required to have an occupant protection system shall ensure that:

(a) All children under the age of ~~four or~~ five and weighing less than forty pounds being transported in such vehicle use a child passenger restraint system of a type which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Traffic Safety Administration as of July 10, 1990, and which is correctly installed in such vehicle; and

(b) All children under the age of five and weighing forty or more pounds ~~or at least four years of age and younger than five years of age~~ being transported in such vehicle use an occupant protection system.

This subsection shall apply to every motor vehicle which is equipped with an occupant protection system or is required to be equipped with restraint systems pursuant to Federal Motor Vehicle Safety Standard 208 except taxicabs, mopeds, motorcycles, and any motor vehicle designated by the manufacturer as a 1963 year model or earlier which is not equipped with an occupant protection system.

(2) Whenever any licensed physician ~~licensed to practice medicine in Nebraska~~ determines, through accepted medical procedures, that use of a child passenger restraint system by a particular child would be harmful by reason of the child's weight, physical condition, or other medical reason, the provisions of subsection (1) of this section shall be waived. The driver of any vehicle transporting such a child shall carry on his or her person or in the vehicle a signed written statement of the physician identifying the child and stating the grounds for such waiver.

(3) The drivers of authorized emergency vehicles shall not be subject to the requirements of subsection (1) of this section when operating such authorized emergency vehicles pursuant to their employment.

(4) The Department of Motor Vehicles shall develop and implement an ongoing public information and education program regarding the use of child passenger restraint systems and occupant protection systems.

Sec. 2. Section 60-6,268, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,268. (1) A person violating any provision of subsection (1) of section 60-6,267 shall, for a first offense, be guilty of an infraction as defined in section 29-431 and shall be fined twenty-five dollars for each violation. The failure to provide a child restraint system for more than one child in the same vehicle at the same time, as required in such subsection, shall not be treated as a separate offense.

~~Any~~ For a first offense, a person who is charged with a violation of such subsection, who does not have in his or her possession a child restraint system meeting the requirements of Federal Motor Vehicle Safety Standard 213 as of August 26, 1983, and who subsequently purchases or rents for a one-year period such a system prior to his or her court appearance shall not, upon presentation of proof of purchase or proof of rental for a one-year period of such a system, ~~be able to utilize such presentation as an absolute defense and cause for dismissal of such charge~~ have any fine imposed and shall not have any points assessed against his or her driving record.

For a second or any subsequent offense, any person violating such subsection shall be guilty of an infraction.

(2) A person who has acquired the statement authorized by subsection (2) of section 60-6,267, but fails to show a peace officer such statement when requested to do so, shall be guilty of an infraction as defined in section 29-431 and shall be fined ten dollars for each offense. The failure to produce a statement for more than one child in the same vehicle at the same time shall not be treated as a separate offense.

Sec. 3. Section 71-1907, Revised Statutes Supplement, 1998, is amended to read:

71-1907. Any person furnishing foster care who is subject to licensure under section 71-1902, when transporting in a motor vehicle any children for whom care is being furnished, shall use an approved child passenger restraint system for each child, except that an occupant protection system as defined in section 60-6,265 may be used for any child weighing forty or more pounds. ~~or four years of age or more.~~

Any person violating this section shall be guilty of an infraction as defined in section 29-431 and shall have his or her license to furnish foster care revoked or suspended by the Department of Health and Human Services.

For purposes of this section, approved child passenger restraint system shall mean a restraint system which meets Federal Motor Vehicle Safety Standard 213 as developed by the National Highway Traffic Safety Administration as of July 17, 1982.

Sec. 4. Original sections 60-6,267 and 60-6,268, Reissue Revised Statutes of Nebraska, and section 71-1907, Revised Statutes Supplement, 1998, are repealed.".

Senator Beutler filed the following amendment to LB 626:
AM2108

1. On page 16, line 6, strike "three times".

Senator Thompson filed the following amendment to LB 153:
AM2100

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. The Legislature shall commission a study of the Nebraska State Patrol for purposes of examining its mission, structure, and staffing and shall make recommendations for any needed changes. The study shall:

(1) Assess the current structure and mission of the Nebraska State Patrol;

(2) Review the growth and viability of the mission-related duties of the Nebraska State Patrol as they relate to the patrol's work capacity;

(3) Assess the relationship of local law enforcement and the Nebraska State Patrol including, but not limited to, cooperative traffic enforcement, participation in drug task forces, and mutual assistance responses;

(4) Review the staffing of the Nebraska State Patrol including the resource needs of sparsely populated areas of the state;

(5) Review the communication capabilities of the Nebraska State Patrol;

(6) Examine the effect that a reduction of current grant funding would have on the mission and budget of the Nebraska State Patrol; and

(7) Review any promising programs and strategies implemented by other jurisdictions with respect to their state police departments.

Sec. 2. The study shall be conducted by a task force consisting of the Superintendent of Law Enforcement and Public Safety, two other members of the Nebraska State Patrol designated by the superintendent, the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice or his or her designee, and the Director of Research of the Legislature or his or her designee. In addition, the Executive Board of the Legislative Council shall appoint to the task force two members of the Legislature, a representative from the State Troopers' Association of Nebraska, a representative of the Fraternal Order of Police, a county sheriff or chief of police from each of the six Nebraska State Patrol troop sites, and two at-large members from the general public. The Executive Board of the Legislative Council shall appoint a chairperson of the task force from the task force members. The appointments to the task force shall be made no later than June 1, 2000.

Sec. 3. The task force may gather information from interested parties through public hearings and other appropriate means to assure ample opportunities for outside input to be received for consideration. The task force shall issue a report by November 30, 2000, and complete its work and issue a final report outlining its findings and recommendations to the Governor and the Legislature no later than June 30, 2001. The College of Public Affairs and Community Service of the University of Nebraska at Omaha will provide administrative support to the task force and shall be responsible for the production and distribution of the final report. Members of the task force shall be reimbursed pursuant to sections 81-1174 to 81-1177 for their actual and necessary expenses during service. It is the intent of the Legislature that any money appropriated by the Legislature for this study shall be appropriated to the College of Public Affairs and Community Service of the University of Nebraska at Omaha.

Sec. 4. The task force shall cease to exist on June 30, 2001.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

Senators Thompson and Byars filed the following amendment to LB 410:
AM2055

1. On page 2, line 13, strike "five", show as stricken, and insert "sixteen".

MOTION - Adjournment

Senator Chambers moved to adjourn until 9:00 a.m., Tuesday, January 25, 2000. The motion failed with 3 ayes, 21 nays, 21 present and not voting, and 4 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 509. Senator Hilgert requested a record vote on the advancement of the bill.

Voting in the affirmative, 6:

Chambers
Connealy
Crosby
Dierks
Lynch
Robak

Voting in the negative, 37:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Coordsen
Cudaback
Dickey
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Kremer
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Present and not voting, 2:

Jones Wickersham

Excused and not voting, 4:

Kiel Kristensen Landis Raikes

Failed to advance to E & R for review with 6 ayes, 37 nays, 2 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 55. Title read. Considered.

The Standing Committee amendment, AM0668, found on page 859, First Session, 1999, was considered.

Senator Brashear offered the following amendment to the Standing Committee amendment:
AM2105
(Amendments to Standing Committee amendments, AM0668)
1. On page 1, line 23, after "(b)" insert "a period after the failure of the action equal to the period of".

The Brashear amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 120. Title read. Considered.

The Standing Committee amendment, AM0173, found on page 859, First Session, 1999, was considered.

Pending.

NOTICE OF COMMITTEE HEARINGS
Revenue

LB 1353	Wednesday, February 2, 2000	1:30 p.m.
LB 1017	Wednesday, February 2, 2000	1:30 p.m.
LB 1044	Wednesday, February 2, 2000	1:30 p.m.
LB 1070	Wednesday, February 2, 2000	1:30 p.m.
LB 1124	Wednesday, February 2, 2000	1:30 p.m.
LB 1057	Thursday, February 3, 2000	2:30 p.m.
LB 1105	Thursday, February 3, 2000	2:30 p.m.
LB 1100	Thursday, February 3, 2000	2:30 p.m.
LB 1014	Thursday, February 3, 2000	2:30 p.m.

LB 1260	Thursday, February 3, 2000	2:30 p.m.
LB 1339	Thursday, February 3, 2000	2:30 p.m.
LB 1251	Wednesday, February 9, 2000	1:30 p.m.
LB 1263	Wednesday, February 9, 2000	1:30 p.m.
LB 1279	Wednesday, February 9, 2000	1:30 p.m.
LB 985	Wednesday, February 9, 2000	1:30 p.m.
LB 1074	Wednesday, February 9, 2000	1:30 p.m.
LB 941	Wednesday, February 9, 2000	1:30 p.m.
LB 990	Wednesday, February 9, 2000	1:30 p.m.
LB 1430	Wednesday, February 9, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

AMENDMENT - Print in Journal

Senator D. Pederson filed the following amendment to LB 120:
AM0927

1. On page 3, line 12, after the comma insert "(i) the court shall make a designation as to the parent who shall have primary physical custody of the child, which designation is subject to modification, and (ii)"; and in line 13 after "child" insert "when".

UNANIMOUS CONSENT - Add Cointroducers

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 1083. No objections. So ordered.

Senator Hartnett asked unanimous consent to have his name added as cointroducer to LB 919. No objections. So ordered.

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1395. No objections. So ordered.

Senator Crosby asked unanimous consent to have her name added as cointroducer to LR 289CA. No objections. So ordered.

Senator Byars asked unanimous consent to have his name added as cointroducer to LB 1410. No objections. So ordered.

VISITORS

Visitors to the Chamber were Beth Maryott from Walthill; and Ben Davison from Central City and Cheryl Pattie from Ansley.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Chambers, the Legislature adjourned until 9:00 a.m., Tuesday, January 25, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTEENTH DAY - JANUARY 25, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 25, 2000

PRAYER

The prayer was offered by Reverend Thomas R. Javor, Our Redeemer Lutheran Church, Springfield, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Bohlke who was excused; and Senators Bromm, Byars, Coordsen, Kiel, Landis, Matzke, Raikes, Schrock, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 371, line 19, strike "Agency 9000".
The Journal for the eleventh day was approved as corrected.
The Journal for the twelfth day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 482. Placed on Select File as amended.
E & R amendment to LB 482:
AM7177

1. Strike the original sections and all amendments thereto and insert the following new section:

"Section 1. (1) For adoptions decreed on or after January 1, 2000, every individual or couple that adopts a ward of the State of Nebraska shall be entitled to a payment of one thousand dollars for the year of adoption and for up to four succeeding years. Payments shall be made after approval of an application submitted by the adoptive parent or parents to the

Department of Health and Human Services. The application shall be on a form prescribed by the department. An application shall be submitted during January of the year following the year for which the payment is sought. An applicant shall be eligible for payment for the year of adoption and for the earliest of four subsequent years or until the adopted child reaches the age of majority, is emancipated, or is no longer living in the home of the adoptive parent or parents. To be eligible for payment in the years subsequent to the adoption, the requirements of this section must be met for the entire year.

(2) The department shall review all applications for eligibility for payment. The department shall approve or deny payment within thirty days after receipt of the application. If approved, the department shall certify the necessary information to the Director of Administrative Services for the issuance of a warrant. Warrants shall be issued within thirty days after certification. Any person aggrieved by a decision of the department may appeal. The appeal shall be in accordance with the Administrative Procedure Act.

(3) The department shall adopt and promulgate rules and regulations to carry out this section.".

2. On page 1, strike beginning with "revenue" in line 1 through line 4 and insert "words of the state; to provide for payments to adoptive parents.".

LEGISLATIVE BILL 151. Placed on Select File as amended.
E & R amendment to LB 151:
AM7179

1. On page 1, line 1, strike "Detention" and insert "Detection".

2. On page 2, lines 17 and 18, strike "set of fingerprints", show as stricken, and insert "thumb print or fingerprint".

LEGISLATIVE BILL 55. Placed on Select File as amended.
E & R amendment to LB 55:
AM7180

1. On page 1, strike beginning with "within" in line 2 through line 3 and insert "after the failure of an action and expiration of the applicable statute of limitations as prescribed.".

(Signed) Adrian M. Smith, Chairperson

MOTION - Print in Journal

Senator Vrtiska filed the following motion to LB 1373:
Withdraw LB 1373.

NOTICE OF COMMITTEE HEARING
Education

LB 1001	Tuesday, February 1, 2000	1:30 p.m.
LB 1056	Tuesday, February 1, 2000	1:30 p.m.
LB 1213	Tuesday, February 1, 2000	1:30 p.m.
LB 1439	Tuesday, February 1, 2000	1:30 p.m.
LB 1447	Tuesday, February 1, 2000	1:30 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 283. Read. Considered.

LR 283 was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

LEGISLATIVE RESOLUTION 286. Read. Considered.

LR 286 was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

MOTION - Approve Appointments

Senator Dierks moved the adoption of the report of the Agriculture Committee for the following appointments found on page 375: Roy Frederick, Harry Knobbe, Dale Pohlmann, Gerald Timmerman, and Bill Zutavern – Beginning Farmer Board.

Senator Chambers requested a record vote.

Voting in the affirmative, 36:

Aguilar	Baker	Beutler	Bourne	Bromm
Brown	Bruning	Byars	Connealy	Crosby
Cudaback	Dickey	Dierks	Engel	Hartnett
Hilgert	Hudkins	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Pedersen, Dw.	Pederson, D.
Quandahl	Redfield	Robak	Schimek	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein				

Voting in the negative, 1:

Chambers

Present and not voting, 10:

Brashear Coordsen Janssen Jensen Preister
Price Raikes Schmitt Schrock Wickersham

Excused and not voting, 2:

Bohlke Matzke

The appointments were confirmed with 36 ayes, 1 nay, 10 present and not voting, and 2 excused and not voting.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 898. Placed on General File.
LEGISLATIVE BILL 920. Placed on General File.
LEGISLATIVE BILL 923. Placed on General File.
LEGISLATIVE BILL 983. Placed on General File.
LEGISLATIVE BILL 1005. Placed on General File.

LEGISLATIVE BILL 911. Indefinitely postponed.

LEGISLATIVE BILL 352. Placed on General File as amended.
Standing Committee amendment to LB 352:
AM2000

1. On page 2, line 25, after "Impaired" insert "until July 1, 2002, at which time commission means the Department of Health and Human Services".

2. On page 4, strike beginning with "staggered" in line 2 through "terms" in line 7 and insert "for terms which shall expire on July 1, 2002"; after line 21 insert the following new subsection:

"(5) On July 1, 2002, the commission shall cease to exist, and all duties, powers, and functions of the commission under the Commission for the Blind and Visually Impaired Act shall be assumed by the Department of Health and Human Services on and after such date."; and in line 28 after the period insert "The position of director shall cease to exist on July 1, 2002, and all duties, powers, and functions of the director under the Commission for the Blind and Visually Impaired Act shall be assumed by the Director of Health and Human Services or his or her designee.".

3. On page 5, strike the new matter in line 4 and insert "act and (b)".

4. On page 14, line 14, after the period insert "Any rules and regulations of the Division of Rehabilitation Services for the Visually Impaired within the Department of Health and Human Services in effect on the day immediately preceding the effective date of this act shall remain in effect until otherwise amended or repealed by the commission. On July 1, 2002, any rules and regulations of the commission in effect on June 30, 2002, shall

remain in effect for purposes of the act until otherwise amended or repealed by the department."; in line 20 after "Impaired" insert "until July 1, 2002. On July 1, 2002, all property, equipment, supplies, and personnel which belonged to, were allocated to, or were used to support the commission are transferred to the department"; and in line 25 after "Impaired" insert "until July 1, 2002. On July 1, 2002, all existing contracts and agreements in effect are binding and effective upon the department".

(Signed) Jim Jensen, Chairperson

NOTICE OF COMMITTEE HEARINGS

Appropriations

Wednesday, February 2, 2000 1:30 p.m.
Agency 5 - Supreme Court
Agency 31 - Military
Agency 46 - Correctional Services
Agency 64 - State Patrol
Agency 78 - Crime Commission

LB 978 Wednesday, February 2, 2000 1:30 p.m.

Thursday, February 3, 2000 1:30 p.m.
Agency 14 – Public Service Commission
Agency 21 – Fire Marshal
Agency 29 – Water Resources
Agency 35 – Liquor Control Commission
Agency 66 – Examiners Abstractors
Agency 74 – Power Review Board
Agency 84 – Environmental Quality

LB 1151 Thursday, February 3, 2000 1:30 p.m.

(Signed) Roger R. Wehrbein, Chairperson

AMENDMENT - Print in Journal

Senator Schimek filed the following amendment to LB 480:
AM1957
1. On page 3, line 10, after "practitioner" insert "or physician's assistant".
2. On page 4, line 22, strike "commission" and insert "council".

GENERAL FILE

LEGISLATIVE BILL 120. The Standing Committee amendment, AM0173, found on page 859, First Session, 1999, and considered on page

411, was renewed.

Senators Brown and Dierks asked unanimous consent to be excused until they return. No objections. So ordered.

Pending.

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 989. Placed on General File.
LEGISLATIVE BILL 1008. Placed on General File.

LEGISLATIVE BILL 451. Placed on General File as amended.
Standing Committee amendment to LB 451:
AM1967

1. Strike original sections 1 to 5.

2. On page 7, strike beginning with "sections" in line 4 through "and" in line 5 and insert "section"; and in line 6 strike "are" and insert "is".

3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 921. Placed on General File as amended.
Standing Committee amendment to LB 921:
AM2072

1. On page 12, line 23, strike "entry", show as stricken, and insert "rendition"; and in line 24 after "or" insert "making of the".

2. On page 13, line 16, strike "to" and insert "for decision in"; and in line 25 reinstate the stricken comma.

3. On page 13, lines 27 and 28; and page 14, lines 1 and 2, strike the new matter and insert "(c) for newly discovered material evidence which could neither have been discovered with reasonable diligence before trial nor have been discovered with reasonable diligence in time to move for a new trial; (d)".

4. On page 16, line 19, reinstate the stricken "virtue of".

LEGISLATIVE BILL 922. Placed on General File as amended.
Standing Committee amendment to LB 922:
AM2081

1. Insert the following new sections:

"Sec. 2. Section 43-2,119, Reissue Revised Statutes of Nebraska, is amended to read:

43-2,119. (1) The number of judges of the separate juvenile court in counties which have established a separate juvenile court shall be:

(a) Two judges in counties having seventy-five thousand inhabitants but less than two hundred thousand inhabitants;

(b) ~~Before July 1, 1999, two~~ Three judges in counties having at least two hundred thousand inhabitants but less than four hundred thousand inhabitants; ~~, and on and after July 1, 1999, three judges in such counties;~~ and

(c) ~~Four~~ Five judges in counties having four hundred thousand inhabitants or more.

(2) In counties having two or more judges of the separate juvenile court, upon the swearing in of the second judge, the senior judge in point of service as a juvenile court judge shall be the presiding judge. The judges shall rotate the office of presiding judge every three years unless the judges agree to another system.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 3, line 17, after "Original" insert "section 43-2,119, Reissue Revised Statutes of Nebraska, and "; and in line 18 strike "is" and insert "are".

3. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 984. Placed on General File as amended.
Standing Committee amendment to LB 984:
AM2069

1. On page 2, line 2, strike "preliminary" and insert "magistrate"; strike beginning with "by" in line 2 through "29-414" in line 3; and in line 12 strike "preliminary hearing" and insert "magistrate examination" and strike the second occurrence of "hearing" and insert "examination".

LEGISLATIVE BILL 1085. Placed on General File as amended.
Standing Committee amendment to LB 1085:
AM2034

1. On page 2, line 22, after "had" insert "or for lodging and meals when the staff must be away from the office for more than one day".

LEGISLATIVE BILL 160. Indefinitely postponed.
LEGISLATIVE BILL 254. Indefinitely postponed.
LEGISLATIVE BILL 282. Indefinitely postponed.
LEGISLATIVE BILL 316. Indefinitely postponed.
LEGISLATIVE BILL 481. Indefinitely postponed.
LEGISLATIVE BILL 597. Indefinitely postponed.
LEGISLATIVE BILL 598. Indefinitely postponed.
LEGISLATIVE BILL 599. Indefinitely postponed.
LEGISLATIVE BILL 638. Indefinitely postponed.
LEGISLATIVE BILL 699. Indefinitely postponed.

(Signed) Kermit A. Brashear, Chairperson

Natural Resources

LEGISLATIVE BILL 1000. Placed on General File.

LEGISLATIVE BILL 671. Indefinitely postponed.
LEGISLATIVE BILL 672. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

NOTICE OF COMMITTEE HEARINGS
Natural Resources

LR 295	Wednesday, February 2, 2000	1:30 p.m.
LR 296	Wednesday, February 2, 2000	1:30 p.m.
LB 1234	Wednesday, February 2, 2000	1:30 p.m.
LB 1273	Wednesday, February 2, 2000	1:30 p.m.
LB 1286	Wednesday, February 2, 2000	1:30 p.m.
LB 1244	Thursday, February 3, 2000	1:30 p.m.
LB 1266	Thursday, February 3, 2000	1:30 p.m.
LB 1360	Thursday, February 3, 2000	1:30 p.m.
LB 1331	Wednesday, February 9, 2000	1:30 p.m.
LB 1359	Wednesday, February 9, 2000	1:30 p.m.
LB 1426	Wednesday, February 9, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Urban Affairs

Tuesday, February 1, 2000 1:30 p.m.
Volunteer Service Award Benefit Review Board
- Charles Carson
- Travis Mayer
- Nicholas Ross
- Clarence Schweitzer
- James Templar
- Robert Tichota
- David Wees
- Tim Wessling
- Keith Wood

LB 1370	Tuesday, February 1, 2000	1:30 p.m.
LB 1371	Tuesday, February 1, 2000	1:30 p.m.
LB 1238	Tuesday, February 1, 2000	1:30 p.m.
LB 1258	Tuesday, February 1, 2000	1:30 p.m.

(Signed) D. Paul Hartnett, Chairperson

Health and Human Services

LB 1095	Wednesday, February 9, 2000	1:30 p.m.
LB 1153	Wednesday, February 9, 2000	1:30 p.m.
LB 1195	Wednesday, February 9, 2000	1:30 p.m.
LB 1417	Wednesday, February 9, 2000	1:30 p.m.
LB 1427	Wednesday, February 9, 2000	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Revenue

LB 1294	Thursday, February 10, 2000	2:30 p.m.
LB 1302	Thursday, February 10, 2000	2:30 p.m.
LB 1354	Thursday, February 10, 2000	2:30 p.m.
LB 1049	Thursday, February 10, 2000	2:30 p.m.
LB 1411	Thursday, February 10, 2000	2:30 p.m.

LB 1132	Friday, February 11, 2000	1:30 p.m.
LB 1015	Friday, February 11, 2000	1:30 p.m.
LB 1293	Friday, February 11, 2000	1:30 p.m.
LB 1305	Friday, February 11, 2000	1:30 p.m.
LB 1368	Friday, February 11, 2000	1:30 p.m.

LB 1137	Wednesday, February 16, 2000	2:30 p.m.
LB 1149	Wednesday, February 16, 2000	2:30 p.m.
LB 1223	Wednesday, February 16, 2000	2:30 p.m.
LB 1330	Wednesday, February 16, 2000	2:30 p.m.
LB 1340	Wednesday, February 16, 2000	2:30 p.m.
LB 1398	Wednesday, February 16, 2000	2:30 p.m.

LB 1136	Thursday, February 17, 2000	1:30 p.m.
LB 1168	Thursday, February 17, 2000	1:30 p.m.
LB 1338	Thursday, February 17, 2000	1:30 p.m.
LB 1351	Thursday, February 17, 2000	1:30 p.m.
LB 1412	Thursday, February 17, 2000	1:30 p.m.
LB 1414	Thursday, February 17, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills:

LB/LR	**Committee**
LB 1078	Banking, Commerce and Insurance (rereferred)
LB 1347	General Affairs (rereferred)
LB 1392	Health and Human Services (rereferred)

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

GENERAL FILE

LEGISLATIVE BILL 120. Senator Chambers offered the following amendment to the Standing Committee amendment:
FA270
Amend AM0173
P.1, line 8, strike "shall" and insert "may".

SENATOR CUDABACK PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 26 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 19:

Bromm
Bruning
Connealy
Coordsen
Cudaback
Janssen
Jones
Kiel
Kristensen
Landis
Matzke
Pederson, D.
Raikes
Redfield
Robak
Schrock
Thompson
Wehrbein
Wickersham

Voting in the negative, 28:

Aguilar
Baker
Beutler
Bourne
Brashear
Brown
Byars
Crosby
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Jensen
Kremer
Lynch
Pedersen, Dw.
Preister
Price
Quandahl
Schimek
Schmitt
Smith
Stuhr
Suttle
Tyson
Vrtiska

Present and not voting, 1:

Chambers

Excused and not voting, 1:

Bohlke

The Chambers amendment lost with 19 ayes, 28 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senators Kristensen and Schmitt asked unanimous consent to be excused.

No objections. So ordered.

Senator Chambers moved to reconsider the vote on the Chambers amendment, FA270.

Senator Hilgert asked unanimous consent to be excused. No objections. So ordered.

Pending.

AMENDMENTS - Print in Journal

Senator Schimek filed the following amendment to LB 654:
AM2118

1. Strike original section 37 and insert the following new section:

"Sec. 38. Section 84-1601, Reissue Revised Statutes of Nebraska, is amended to read:

84-1601. (1) There is hereby established a program of group life and health insurance for all permanent employees of this state who work one-half or more of the regularly scheduled hours during each pay period, excluding employees of the University of Nebraska, the state colleges, and the community colleges. Such program shall be known as the Nebraska State Insurance Program and shall replace any current program of such insurance in effect in any agency and funded in whole or in part by state contributions.

(2) Temporary employees of the state who have a work assignment of at least six months' duration and who work at least twenty hours per week may purchase health insurance through the Nebraska State Insurance Program. The state shall pay the same proportion of the insurance premium for temporary employees as is established through the collective bargaining process for permanent employees. For purposes of this subsection, temporary employees means individuals (a) employed in the Temporary Employee Pool as described in subdivision (6) of section 81-1307 and (b) hired directly by state agencies. In no event shall a temporary employee mean an individual hired through a private employment agency. ~~The provisions of this subsection shall terminate on July 1, 2000.~~

(3) For purposes of sections 84-1601 to 84-1615, health insurance may be construed to include coverage for disability and dental health care services.

(4) Any commissioned employee of the Nebraska State Patrol who on or after July 17, 1986, has reached fifty-one years of age or becomes medically disabled and who will not receive benefits from the federal social security program shall be afforded the opportunity to remain enrolled in the state employees group health insurance program until age sixty-five. Employees electing this option shall be responsible for the entire premium cost, including the state's share, the employee's share, and an

administrative fee consistent with that allowed by federal guidelines for continuation of health insurance.".

2. Renumber the remaining sections and correct the repealer accordingly.

Senator Quandahl filed the following amendment to LB 126:
AM2014

1. Strike original section 4 and all amendments thereto.

2. On page 2, line 4, after the second "or" insert "knowingly".

3. On page 4, line 24; and page 5, line 16, strike "shall" and insert "may".

4. On page 5, lines 18, 20, and 23, after "of" insert "up to".

5. On page 7, line 23, strike "53-180.05" through "53-1,104" and insert "and 53-180.05".

6. Renumber the remaining sections accordingly.

Senator Schimek filed the following amendment to LB 654A:
AM2124

1. Strike original sections 1 and 2 and insert the following new section:

"Section 1. There is hereby appropriated (1) $1,420,000 from the State Building Renewal Assessment Fund for FY1999-00 to the Department of Administrative Services, for Program 940 -- Task Force for Building Renewal, and (2) $3,010,000 from the State Building Renewal Assessment Fund for FY2000-01 to the Department of Administrative Services, for Program 940 -- Task Force for Building Renewal, to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, Second Session, 1999.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

The unexpended balance of the State Building Renewal Assessment Fund appropriation contained in subsection (1) of this section, existing on June 30, 2000, is hereby reappropriated.".

2. Renumber the remaining section accordingly.

Senator Landis filed the following amendment to LB 931:
(Amendment, AM2121, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room – Room 1102.)

Senator Schimek filed the following amendment to LB 480A:
AM2122

1. On page 2, line 1, strike "$133,642" and insert "$90,252"; in line 2 strike "$147,187" and insert "$77,807"; and in line 9 strike "$75,867" and insert "$50,026" and strike "$92,861" and insert "$52,925".

Senator Chambers filed the following amendment to LB 120:
FA271
Amend AM0173
Strike and show as stricken the new language in lines 15-17.

STANDING COMMITTEE REPORT
Business and Labor

LEGISLATIVE BILL 897. Indefinitely postponed.

(Signed) Floyd P. Vrtiska, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 1319. No objections. So ordered.

Senators Vrtiska and Crosby asked unanimous consent to have their names added as cointroducers to LB 1405. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 1267, LB 1410, and LB 1417. No objections. So ordered.

Senator Connealy asked unanimous consent to have his name added as cointroducer to LB 1425. No objections. So ordered.

Senator Hilgert asked unanimous consent to have his name added as cointroducer to LB 1194. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Quandahl withdrew his name as cointroducer to LB 1269.

VISITORS

Visitors to the Chamber were 17 members of Leadership Sarpy from Sarpy County.

The Doctor of the Day was Dr. David Filipi from Omaha.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Brashear, the Legislature adjourned until 9:00 a.m., Wednesday, January 26, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FOURTEENTH DAY - JANUARY 26, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FOURTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 26, 2000

PRAYER

The prayer was offered by Pastor Ed Kauffman, First Mennonite Church, Beatrice, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Brashear, Dierks, Hartnett, Kremer, Kristensen, Dw. Pedersen, Preister, Raikes, and Schmitt who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 918. Placed on General File.
LEGISLATIVE BILL 1068. Placed on General File.
LEGISLATIVE BILL 1084. Placed on General File.

LEGISLATIVE BILL 274. Indefinitely postponed.
LEGISLATIVE BILL 397. Indefinitely postponed.
LEGISLATIVE BILL 503. Indefinitely postponed.
LEGISLATIVE BILL 551. Indefinitely postponed.
LEGISLATIVE BILL 553. Indefinitely postponed.
LEGISLATIVE BILL 554. Indefinitely postponed.
LEGISLATIVE BILL 555. Indefinitely postponed.
LEGISLATIVE BILL 917. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

AMENDMENT - Print in Journal

Senator Beutler filed the following amendment to LB 626:
AM2129

1. Insert the following new sections:

"Sec. 20. Section 25-2130, Reissue Revised Statutes of Nebraska, is amend

25-2130. For willful trespass, injuring any timber, tree, or shrub on the land of another, or in the street or highway in front of another's cultivated ground, yard, or town lot, or on the public grounds of any town, or any land held by this state, for any purpose whatever, the trespasser shall pay ~~treble~~ damages at the suit of any person entitled to protect or enjoy the property aforesaid.

Sec. 21. Original section 25-2130, Reissue Revised Statutes of Nebraska, is repealed.".

2. Underscore original sections 1 through 19.

3. Renumber the remaining section accordingly.

ANNOUNCEMENT

Senator Dickey designates LB 1101 as his priority bill.

NOTICE OF COMMITTEE HEARING
Nebraska Retirement Systems

LB 1200 Wednesday, February 2, 2000 12:00 p.m.

(Signed) Elaine R. Stuhr, Chairperson

1999 INTERIM REPORT ON THE DISPOSITION OF INTERIM STUDY RESOLUTIONS

Agriculture

LR	**Subject**	**Completed: Report Issued**	**Completed: No Report Issued**	**Deferred**
75	Pet breeders		X	
140	Ag input supplier lenders		X	
142	Intergeneration farm transfer			X
169	State Meat inspection		X	
175	Commodity trading		X	
209	Merging commodity Boards		X	
212	Study Organic Farming		X	
225	Freeze brands		X	
240	Grain storage		X	
241	Soybean promotion program		X	

Appropriations

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
154*	Wastewater Treatment		X	
160*	Filing of school financial information with the State		X	
171	Interstate Highway; 20 year plan and funding road projects		X	
191	Medicaid	X		
232	Effectiveness and cost of assessor duties by the State	X		
233*	Planning and review process of the Natural Resources Commission		X	
257*	N-Focus	X		

* Joint assignment

Banking, Commerce and Insurance

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
104	CHIP		X	
103	Insurance Deregulation		X	
115	Credit data			X
86	Self-evaluation privilege		X	
159	ATMs			X
140	Ag supplier inputs		X	
116	Public funds security			X
142	Transfer of farms			X
114	Auto insurance			X
117	Central filing		X	
195	Driver's Ed			X
176	Group insurance			X
118	Principal & income		X	

Business and Labor

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
129	Workers' Compensation Issues Related to Public Schools		X	
130	Unemployment Issues Related to Certain Staff of Public Schools		X	
135	Workers' Compensation Medical Services Payment and Definition Issues		X	
156	Gender Pay Equity		X	
166	Labor Force Training		X	
234	Family Friendly Workplaces		X	
282	INS, Immigrant Workforce, Meatpacking Industry Issues		X	

Education

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
78	Feasibility of establishing a state-administered college savings program		X	
79	Reorganize, streamline, and consolidate postsecondary educational and administrative services		X	
97	Examine the creation of a new school district within a metropolitan class city			X
98	Examine the shortage of teachers and administrators		X	
155	Review safe school legislation		X	
160*	Study process of filing school financial information to better estimate state aid		X	
179	Explore taxpayers' capacity to pay property taxes in school finance formula		X	
180	Examine educational tax relief options, scholarships, and educational investment incentives		X	
181	Review funding of school breakfast and school lunch programs		X	
182	Examine alternatives to calculate needs in school finance formula		X	
183	Examine alternative structures for financing educational facilities		X	
184	Examine the budget limitation process for Class I school districts		X	
185	Examine approaches to student discipline		X	
186	Examine school size as it relates to educational efficiency and school finance formula		X	
187	Examine status of education for Native American students		X	
214	Determine reasons students choose to leave the state			X
222	Examine ways for businesses to participate in child care for working families		X	
223	Examine how early childhood programs can help children		X	
226	Review status of and propose alternatives to early childhood education		X	
252	Review issues within jurisdiction of the Education Committee			X
253	Provide information to Legislature on assessment alternatives relating to education		X	

256	Examine changes to more effective discipline in schools		X	

* Joint assignment

Executive Board

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
261*	Valuation of ag land used for nonagricultural purposes			

* See Revenue Committee

General Affairs

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
95	Lottery sales		X	
92	Lottery revenue allocation		X	
123	Environmental Trust Fund		X	
121	Charitable gaming		X	
193	Pickle card industry		X	
172	Pickle card industry		X	
93	Alcoholic liquor import		X	
122	Underage drinking		X	

Government, Military and Veterans Affairs

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
45	State Veterans' Homes Administration		X	
62	Recall Procedures		X	
82	State Veterans' Homes Administration		X	
137	State Agencies' Personal Service Contracts with Private Entities		X	
152	Requirements of the Nebraska Political Accountability and Disclosure Act		X	
153	Nebraska Emergency Planning and Community Right to Know Act		X	
177	Political Subdivision Consolidation		X	
188	Compensation for State Level Public Officials		X	
189	Drafting Changes to the Nebraska Political Accountability and Disclosure Act		X	
190	Government, Military and Veterans Affairs Committee Issues		X	
200	Douglas County Clerk as Douglas County Comptroller		X	

227	Planning and Zoning of Municipalities and Counties		X	

Health and Human Services

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
70	Health Care Trust Fund		X	
49	Statewide information and referral		X	
229	Child welfare		X	
257	N-Focus		X	
259	Federal money to states		X	
260	Health and Human Services System contracts		X	
258	Welfare reform		X	
55	Transfer of legal counsels		X	
52	Hospice		X	
81	Criminal background checks		X	
194	Medicaid Buy-In			X
223	Early childhood education		X	
96	Nursing shortage		X	
134	Mental health regions		X	
56	Mental health commitments		X	
157	Public assistance		X	
88	Insurance coverage for contraceptives		X	
213	Sale of ephedra products		X	

Judiciary

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
133	Examine community corrections or community justice programs		X	
201	State and federal forfeiture systems and related fines and penalties		X	
205	Revise statutes dealing with notaries public		X	
204	Changes to State Tort Claims Act regarding claims arising from modification to railroad crossings, signs, or signals		X	
206	Feasibility of creating the office of state district attorney		X	
77	Feasibility of enacting a district attorney system		X	
202	Permitting certain personal information to remain confidential on public records		X	
203	Allow political subdivisions to recover cost in a hazardous substance emergency		X	
207	Examine procedures with respect			

	to the juvenile mentally ill		X	
208	Operating structure and legal authority of diversion programs for traffic offenses		X	
73	Roles of advocates and guardians in juvenile justice system		X	
238	Provide correctional strategies and adequate facilities for women prisoners		X	
255	Merger of clerk of the county court and clerk of the district court		X	
124	Review establishment of sentencing commissions		X	
111	Transferring of credits from colleges to Nebraska Law Enforcement Training Center		X	
136	Examine weapons training facilities and firearms ranges		X	
30	Examine transferring grant committees responsible for distribution of juvenile justice funds		X	
198	Examine judicial cases involving child custody		X	
55	Transferring attorneys and legal counsels in HHS to Justice Dept.			X
87	Creation of juvenile detention regions		X	
89	Analysis of jamming and parole statistics in Dept. of Correctional Services		X	
112	Review laws relating to identity fraud		X	
150	County reimbursement for use of their jail		X	
132	Require Dept. of Correctional Services to provide information regarding its classification system		X	
197	Examine remedy for noncustodial parents when rights are violated		X	
158	Promote gun safety within state			X
170	Holding health maintenance organizations liable if they make negligent benefits decisions		X	
216	Investigate the incarceration of individuals with mental illness		X	

Natural Resources

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
85	Nonpolluting Motor Fuels			X
101	Examine Game & Parks			X
102	Flood Plain Management		X	
106	Designation of Rivers		X	
107	Water Banking & Leasing		X	
108	Merging NRC and DWR		X	

109	Waste Reduction Funds		X	
123	Environmental Trust Funds			X
126	Recycling Policies		X	
131	Economic and health impacts of Class III and IV Livestock Waste Control facilities		X	
148	Use of tax policy to produce both economic and environmental benefits		X	
149	Mandatory deposit on bottles and cans		X	
151	Water quality monitoring		X	
154	Dumping of raw sewage into the waters of the state		X	
192	Tax incentive in the Air and Water Pollution Control Tax Refund Act		X	
199	Operation of air boats on Platte River		X	
209	Merging Corn, Grain Sorghum and Ethanol Boards			X
211	Solid Waste Management Act review		X	
215	White perch infestation		X	
224	Commercial Fertilizer Fee			X
231	Elk hunting		X	
233	Natural Resources Commission's Planning and Review Process			X
250	Solid waste collection services		X	
262	Environmental Stewardship Program		X	

Nebraska Retirement Systems

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
119	Comprehensive Study	X		
120	Disability Retirement	X		
244	State Patrol Retirement			X

Revenue

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
84	Agricultural land valuations	X		
139	Agricultural land valuations	X		
261	Agricultural land valuations	X		
143	Sales and use tax	X		
245	Sales and use tax	X		
144	Aid formulas	X		
145	Exempt property	X		
230	Exempt property	X		
177	Consolidation – municipal/county	X		
165	Homestead	X		
178	Homestead	X		
237	County inheritance tax	X		

146	Investment incentives thresholds	X		
147	Income tax reform	X		
242	Property tax payments in installments	X		
148	Green taxes	X		
192	Green taxes	X		
141	Viability of young farmers			X
160	Financial reporting		X	
167	Financial reporting		X	
168	Financial reporting		X	
246	Property tax collection fee	X		
248	Loss of motor vehicle taxes to S.I.D.s		X	
222	Tax credits for businesses providing adequate child care			X
236	Assessment and taxation of mobile homes		X	
249	Lodging tax			X
46	Sales tax funded public endowments			X

Rules

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
138	Proposed Rule Changes (Altering way caucus assignments are made)		X	

Transportation

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
90	Oversized Vehicles		X	
99	Lifeline Program	X		
100	Registration Taxes		X	
125	Interstate Highway		X	
161	License Plates		X	
162	20-Year Highway Plan	X		
163	PSC Powers	X		
164	Titles and Registration		X	
173	Highway Needs		X	
196	License Plates			X
210	Telecommuting		X	
217	Uninsured Motorists	X		
220	Accident Statistics		X	
221	Railroad Crossing	X		
251	Highway Safety		X	
254	Telemarketing		X	

Urban Affairs

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
74	Study of Natural Gas Industry**		X	
266	Examine issues raised by LB 849 (1999)		X	
250*	Solid waste collection service issues and LB 462 (1999)		X	
218	Extraterritorial zoning jurisdiction and municipal authority		X	
227*	Review of municipal and county planning and zoning statutes		X	
243	Statutory role and usage of neighborhood associations and homeowner associations		X	
219	General issues within the jurisdiction of the Urban Affairs Committee		X	
247	Issues raised by LB 804 (1999), Limited Purpose Sanitary and Improvement District Act		X	

* Joint assignment
** Study will be conducted over a two year period

Select Committee on LR 110

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
110	Gender and Minority Equity*			

* Study ongoing through 2000 – a report is to be issued by 12/1/2000

Select Committee on LR 174

LR	Subject	Completed: Report Issued	Completed: No Report Issued	Deferred
174	Redistricting Task Force			X

RESOLUTION

LEGISLATIVE RESOLUTION 297. Read. Considered.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

LR 297 was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

MOTIONS - Approve Appointments

Senator Schrock moved the adoption of the report of the Natural Resources Committee for the following appointments found on page 397: Robert E. Bettger - Environmental Quality Council; and Dave Hilferty – Nebraska Ethanol Board.

Voting in the affirmative, 29:

Aguilar Baker Bohlke Bourne Bromm
Byars Connealy Coordsen Crosby Cudaback
Dickey Hartnett Hilgert Hudkins Janssen
Kremer Matzke Pedersen, Dw. Pederson, D. Price
Quandahl Redfield Schmitt Schrock Smith
Thompson Tyson Vrtiska Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 13:

Beutler Brown Engel Jensen Jones
Kiel Landis Lynch Robak Schimek
Stuhr Suttle Wickersham

Excused and not voting, 6:

Brashear Bruning Dierks Kristensen Preister
Raikes

The appointments were confirmed with 29 ayes, 1 nay, 13 present and not voting, and 6 excused and not voting.

Senator Schrock moved the adoption of the report of the Natural Resources Committee for the following appointments found on page 397: Randall Stinnette and Marvin Westcott – Game and Parks Commission.

Voting in the affirmative, 30:

Aguilar Baker Bohlke Bourne Bromm
Byars Connealy Coordsen Cudaback Dickey
Engel Hartnett Hudkins Jensen Jones
Kremer Lynch Matzke Pedersen, Dw. Pederson, D.
Price Quandahl Redfield Schimek Schmitt
Schrock Smith Thompson Tyson Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 12:

Beutler Brown Crosby Hilgert Janssen
Kiel Landis Robak Stuhr Suttle
Vrtiska Wickersham

Excused and not voting, 6:

Brashear Bruning Dierks Kristensen Preister
Raikes

The appointments were confirmed with 30 ayes, 1 nay, 12 present and not voting, and 6 excused and not voting.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 404: Barbara Heckman - State Foster Care Review Board.

Voting in the affirmative, 36:

Aguilar Baker Bohlke Bourne Bromm
Bruning Byars Chambers Coordsen Crosby
Cudaback Dickey Engel Hartnett Hudkins
Janssen Jensen Jones Kremer Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Redfield Schimek Schrock Smith
Stuhr Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 9:

Beutler Brown Connealy Hilgert Kiel
Landis Robak Schmitt Suttle

Excused and not voting, 4:

Brashear Dierks Kristensen Raikes

The appointment was confirmed with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 404: Lisa Yank – Rural Health Advisory Commission.

Voting in the affirmative, 34:

Aguilar	Baker	Bohlke	Bourne	Bromm
Bruning	Byars	Chambers	Coordsen	Crosby
Cudaback	Dickey	Engel	Hartnett	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Price
Quandahl	Redfield	Schmitt	Schrock	Smith
Suttle	Thompson	Tyson	Wehrbein	

Voting in the negative, 0.

Present and not voting, 11:

Beutler	Brown	Connealy	Hilgert	Landis
Preister	Robak	Schimek	Stuhr	Vrtiska
Wickersham				

Excused and not voting, 4:

Brashear	Dierks	Kristensen	Raikes

The appointment was confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 404: Todd Stuckey, M.D. – Rural Health Advisory Commission.

Voting in the affirmative, 31:

Aguilar	Baker	Bohlke	Bruning	Byars
Coordsen	Crosby	Cudaback	Dickey	Engel
Hartnett	Hudkins	Janssen	Jensen	Jones
Kremer	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Price	Quandahl	Redfield	Schimek
Smith	Suttle	Thompson	Tyson	Vrtiska
Wehrbein				

Voting in the negative, 1:

Chambers

Present and not voting, 13:

Beutler	Bourne	Bromm	Brown	Connealy
Hilgert	Kiel	Preister	Robak	Schmitt
Schrock	Stuhr	Wickersham		

Excused and not voting, 4:

Brashear
Dierks
Kristensen
Raikes

The appointment was confirmed with 31 ayes, 1 nay, 13 present and not voting, and 4 excused and not voting.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 405: Chris Becker, Bruce Beins, Randall Datus, Michael Grutsch, and Gerald Matzke - Board of Emergency Medical Services.

Voting in the affirmative, 33:

Aguilar
Baker
Bohlke
Brown
Bruning
Byars
Coordsen
Crosby
Cudaback
Dickey
Engel
Hartnett
Hudkins
Jensen
Jones
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Price
Quandahl
Redfield
Schrock
Smith
Stuhr
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 11:

Beutler
Bourne
Bromm
Connealy
Hilgert
Janssen
Preister
Robak
Schimek
Schmitt
Suttle

Excused and not voting, 4:

Brashear
Dierks
Kristensen
Raikes

The appointments were confirmed with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 480. E & R amendment, AM7162, found on page 328, was adopted.

Senator Schimek renewed her pending amendment, AM1957, found on page 417.

The Schimek amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Senator Stuhr offered the following amendment:
AM2140

(Amendments to AM1749)

1. Insert the following new section:
"Sec. 8. This act shall terminate on December 31, 2004.".

Senator Stuhr asked unanimous consent to replace her pending amendment, AM2140, with a substitute amendment. No objections. So ordered.

Senator Stuhr withdrew her amendment, AM2140.

Senator Stuhr offered the following substitute amendment:
FA272
Amendment to AM1749
1. Insert the following new section:
"Sec. 8. The council under this act shall terminate on December 31, 2004.".

Senators Dierks and Hilgert asked unanimous consent to be excused until they return. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

The Stuhr amendment was adopted with 34 ayes, 2 nays, 9 present and not voting, and 4 excused and not voting.

Senator Lynch offered the following amendment:
AM2139

(Amendments to AM1749)

1. On page 1, lines 3 and 5; page 2, line 12; page 4, lines 4, 5, 11, and 27; and page 5, lines 3, 6, 10, 11, 12, 25, 26, and 27, after "Women's" insert "and Men's".
2. On page 1, lines 10, 13, 21, and 23; page 2, lines 1, 6, and 11; page 4, line 22; and page 6, line 8, after "women's" insert "and men's".
3. On page 1, line 6; and page 2, line 4, after "women" insert "and men".
4. On page 2, line 24, after "woman" insert "or man".

Senator Lynch withdrew his amendment.

Senator Schimek moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Smith requested a record vote on the advancement of the bill.

Voting in the affirmative, 26:

Beutler Bohlke Bourne Bromm Brown

Byars Chambers Connealy Crosby Cudaback
Dickey Janssen Kiel Kristensen Landis
Lynch Matzke Price Raikes Robak
Schimek Schmitt Stuhr Suttle Thompson
Wickersham

Voting in the negative, 17:

Aguilar Baker Coordsen Dierks Engel
Hartnett Hudkins Jensen Jones Kremer
Pederson, D. Quandahl Redfield Smith Tyson
Vrtiska Wehrbein

Present and not voting, 3:

Pedersen, Dw. Preister Schrock

Excused and not voting, 3:

Brashear Bruning Hilgert

Advanced to E & R for engrossment with 26 ayes, 17 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 283 and 286.

SELECT FILE

LEGISLATIVE BILL 480A. E & R amendment, AM7161, found on page 328, was adopted.

Senator Schimek renewed her pending amendment, AM2122, found on page 424.

The Schimek amendment was adopted with 30 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 788. E & R amendment, AM7160, found on page 329, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE RESOLUTION 6CA. E & R amendment, AM7164, found on page 376, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 534. E & R amendment, AM7165, found on page 376, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 523. E & R amendment, AM7171, found on page 380, was adopted.

Senator Suttle offered the following amendment:
AM2138
1. On page 19, line 9, after the period insert "As administrator, the executive director shall give notice of withdrawal to the executive heads of all other party states within thirty days after the effective date of any statute repealing the compact enacted by the Legislature pursuant to Article X of the compact.".

The Suttle amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

STANDING COMMITTEE REPORT
Natural Resources

LEGISLATIVE BILL 1040. Placed on General File as amended.
Standing Committee amendment to LB 1040:
AM2127
1. Strike section 4.

(Signed) Edward J. Schrock, Chairperson

NOTICE OF COMMITTEE HEARINGS
Natural Resources

LB 1297	Friday, February 11, 2000	1:30 p.m.
LB 1377	Friday, February 11, 2000	1:30 p.m.
LB 1434	Friday, February 11, 2000	1:30 p.m.
LB 1350	Wednesday, February 16, 2000	1:30 p.m.
LB 1355	Wednesday, February 16, 2000	1:30 p.m.
LB 1356	Wednesday, February 16, 2000	1:30 p.m.
LB 1395	Wednesday, February 16, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Judiciary

LR 291CA	Wednesday, February 2, 2000	1:30 p.m.
LB 899	Wednesday, February 2, 2000	1:30 p.m.
LB 1204	Wednesday, February 2, 2000	1:30 p.m.
LB 1289	Wednesday, February 2, 2000	1:30 p.m.
LB 1390	Wednesday, February 2, 2000	1:30 p.m.
LB 966	Thursday, February 3, 2000	1:30 p.m.
LB 1037	Thursday, February 3, 2000	1:30 p.m.
LB 1122	Thursday, February 3, 2000	1:30 p.m.
LB 1380	Thursday, February 3, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

Transportation and Telecommunications

Monday, February 7, 2000 1:00 p.m.
Board of Public Roads Classifications and Standards
James Anderson
James Bauer
Larry Kisby
Richard Ruby
Timothy Schram
Darold Tagge
Henry Thieman
Henry Vieregger

LB 1332	Monday, February 7, 2000	1:00 p.m.
LB 1333	Monday, February 7, 2000	1:00 p.m.
LB 1375	Monday, February 7, 2000	1:00 p.m.
LB 1404	Monday, February 7, 2000	1:00 p.m.
LB 1446	Monday, February 7, 2000	1:00 p.m.
LB 1076	Tuesday, February 8, 2000	1:30 p.m.
LB 1239	Tuesday, February 8, 2000	1:30 p.m.
LB 1249	Tuesday, February 8, 2000	1:30 p.m.
LB 1357	Tuesday, February 8, 2000	1:30 p.m.
LB 1361	Tuesday, February 8, 2000	1:30 p.m.
LB 1419	Tuesday, February 8, 2000	1:30 p.m.
LB 1431	Tuesday, February 8, 2000	1:30 p.m.

Monday, February 14, 2000 1:00 p.m.
Nebraska Transit and Rail Advisory Council
Allan Abbott
Ann Boyle
Duane Eitel

Roger Figard
Dave Gilfillan
Georgia Janssen
Paul Mullen
Michael Ongerth
Tom Wais
Dennis Wilson
Greg Wright

LB 1077	Monday, February 14, 2000	1:00 p.m.
LB 1154	Monday, February 14, 2000	1:00 p.m.
LB 1284	Monday, February 14, 2000	1:00 p.m.
LB 1337	Monday, February 14, 2000	1:00 p.m.
LB 1362	Monday, February 14, 2000	1:00 p.m.
LB 1421	Monday, February 14, 2000	1:00 p.m.
LB 1065	Tuesday, February 15, 2000	1:30 p.m.
LB 1268	Tuesday, February 15, 2000	1:30 p.m.
LB 1283	Tuesday, February 15, 2000	1:30 p.m.
LB 1295	Tuesday, February 15, 2000	1:30 p.m.
LB 1322	Tuesday, February 15, 2000	1:30 p.m.
LB 1420	Tuesday, February 15, 2000	1:30 p.m.
LB 991	Tuesday, February 22, 2000	1:30 p.m.
LB 1016	Tuesday, February 22, 2000	1:30 p.m.
LB 1032	Tuesday, February 22, 2000	1:30 p.m.
LB 1147	Tuesday, February 22, 2000	1:30 p.m.
LB 1317	Tuesday, February 22, 2000	1:30 p.m.
LB 1409	Tuesday, February 22, 2000	1:30 p.m.

(Signed) Curt Bromm, Chairperson

STANDING COMMITTEE REPORT
Education

The Education Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Board of Educational Lands and Funds
M. Jane Keller

VOTE: Aye: Senators Brashear, Coordsen, Price, Raikes, Stuhr, Suttle, and Wickersham. Nay: None. Absent: Senator Bohlke.

(Signed) Ardyce L. Bohlke, Chairperson

SELECT FILE

LEGISLATIVE BILL 410. E & R amendment, AM7170, found on page

381, was adopted.

Senator Baker renewed his pending amendment, AM2096, found on page 407.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Thompson offered the following amendment to the Baker pending amendment:
AM2130

(Amendments to AM2096)

1. On page 1, line 14, strike "five" and insert "sixteen".

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

The Thompson amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Senators Thompson and Byars offered the following amendment to the Baker pending amendment:
AM2131

(Amendments to AM2096)

1. On page 3, after line 19, insert the following new subsection: "(3) Enforcement of subdivision (1)(b) of section 60-6,267 shall be accomplished only as a secondary action when an operator of a motor vehicle has been cited or charged with a violation or some other offense.".

The Thompson-Byars amendment was adopted with 25 ayes, 1 nay, 19 present and not voting, and 4 excused and not voting.

The Baker amendment, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senators Thompson and Byars withdrew their amendment, AM2055, found on page 410.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 153. E & R amendment, AM7168, found on page 381, was adopted.

Senator Thompson renewed her pending amendment, AM2100, found on page 409.

The Thompson amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 153A. E & R amendment, AM7169, found on page 381, was adopted.

Senator Thompson offered the following amendment:
AM2136

1. On page 2, lines 1 and 7, strike "$37,562" and insert "$37,780"; in line 7 after "the" insert "College of Public Affairs and Community Service of the"; and strike beginning with the comma in line 7 through the comma in line 8.

The Thompson amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 288. E & R amendment, AM7166, found on page 381, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 582. E & R amendment, AM7167, found on page 382, was adopted.

Advanced to E & R for engrossment.

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 658. E & R amendment, AM7172, found on page 399, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 289. E & R amendment, AM7175, found on page 399, was adopted.

Senator Beutler renewed his pending amendment, AM2075, found on page 364.

The Beutler amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Senators Jensen and Byars asked unanimous consent to be excused. No objections. So ordered.

SENATOR CROSBY PRESIDING

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Cudaback moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Cudaback requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar	Baker	Bohlke	Brown	Bruning
Crosby	Cudaback	Dickey	Hudkins	Janssen
Jones	Kremer	Kristensen	Lynch	Matzke
Pedersen, Dw.	Quandahl	Raikes	Schimek	Schrock
Smith	Stuhr	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 14:

Beutler	Bourne	Bromm	Connealy	Hilgert
Kiel	Landis	Preister	Price	Redfield
Schmitt	Suttle	Thompson	Tyson	

Present and not voting, 5:

Chambers	Dierks	Engel	Hartnett	Pederson, D.

Excused and not voting, 5:

Brashear	Byars	Coordsen	Jensen	Robak

Advanced to E & R for engrossment with 25 ayes, 14 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 289A. E & R amendment, AM7176, found on page 399, was adopted.

Senator Cudaback offered the following amendment:
AM2146

1. Strike section 1 and all amendments thereto and insert the following new section:

"Section 1. There is hereby appropriated (1) $7,000 from the General Fund for FY2000-01 and (2) $5,000 from the General Fund for FY2001-02 to the Secretary of State, for Program 22, to aid in carrying out the provisions of Legislative Bill 289, Ninety-sixth

Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $3,000 for FY2000-01 or $3,000 for FY2001-02.".

The Cudaback amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

STANDING COMMITTEE REPORTS
Agriculture

LEGISLATIVE BILL 960. Placed on General File.

LEGISLATIVE BILL 213. Placed on General File as amended.
Standing Committee amendment to LB 213:
AM2068

1. Strike the original sections and insert the following new sections:

"Section 1. Section 54-198, Revised Statutes Supplement, 1999, is amended to read:

54-198. (1) Any person having livestock may record a brand, which he or she has the exclusive right to use in this state, and it is unlawful to use any brand for branding any livestock unless the person using such brand has recorded that brand with the Nebraska Brand Committee. Only a hot iron or freeze brand shall be used to brand a live animal.

(2) ~~After January 1, 1962, only a hot iron brand shall be used to brand a live animal.~~ A ~~freeze brand or~~ hot iron brand or a freeze brand may be used for in-herd identification purposes such as for year or production records. With respect to hot iron brands used for in-herd identification, the numerals 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9 in singular or triangular position are reserved on both the right and left shoulder of all cattle, except that such shoulder location for a single-number hot iron brand may be used for year branding for in-herd identification purposes, and an alphabetical letter may be substituted for one of the numerals used in a triangular configuration for in-herd identification purposes. ~~The~~ Hot iron brands used for in-herd identification ~~brand~~ shall be used in conjunction with the recorded brand and shall be on the same side of the animal as the recorded brand. Freeze branding for in-herd identification may be applied in any location and any configuration with any combination of numerals or alphabetical letters.

Sec. 2. Section 54-199, Revised Statutes Supplement, 1999, is amended to read:

54-199. (1) To record a brand, a person shall forward to the Nebraska Brand Committee a facsimile of the brand desired to be recorded, a written application, and a recording fee of twenty-five dollars for the first location on a side of the animal and fifteen dollars for each additional location requested on that side of the animal in the same ownership.

(2) Upon receipt of such facsimile, application, and fee, the brand committee shall determine compliance with the following requirements:

(a) The brand shall be an identification mark that is applied to the hide of a live animal by ~~a~~ hot iron branding or by either hot iron branding or freeze branding. The brand shall be on either side of the animal in any one of three locations, the shoulder, ribs, or hip, except that after September 6, 1991, no new brand shall be recorded for the ribs of the animal on either side. All brands recorded for the ribs on such date shall remain valid and renewable and shall be transferable until such recorded brand expires;

(b) The brand is not recorded under the name of any other person and does not conflict with or closely resemble a prior recorded brand;

(c) The brand application specifies the left or right side of the animal and the location on that side of the animal where the brand is to be placed;

(d) The brand is not recorded as a trade name nor as the name of any profit or nonprofit corporation, unless such trade name or corporation is of record, in current good standing, with the Secretary of State; and

(e) The brand is, in the judgment of the brand committee, legible, adequate, and of such a nature that the brand when applied can be properly read and identified by employees of the brand committee.

(3) All brands shall be recorded as a hot iron brand only unless a co-recording as a freeze brand is requested by the applicant. The brand committee shall approve co-recording a brand as a freeze brand unless the brand would not be distinguishable from in-herd identification applied by freeze branding.

(4) If the facsimile or the application does not comply with any of the requirements of this section, the brand committee shall not record such brand as requested but shall return the recording fee to the forwarding person. The power of examination and rejection is vested in the brand committee, and if the brand committee determines that the application for a recorded brand falls within the category set out in subdivision (2)(e) of this section, it shall decide whether or not a recorded brand shall be issued. The brand committee shall make such examination as promptly as possible. If the brand is recorded, the ownership vests from the date of filing of the application.

Sec. 3. Original sections 54-198 and 54-199, Revised Statutes Supplement, 1999, are repealed.".

LEGISLATIVE BILL 825. Placed on General File as amended.
Standing Committee amendment to LB 825:
AM2040

1. Strike the original sections and insert the following new sections:

"Section 1. Sections 1 to 12 of this act shall be known and may be cited as the Commercial Dog and Cat Operator Inspection Act.

Sec. 2. For purposes of the Commercial Dog and Cat Operator Inspection Act:

(1) Boarding kennel means a facility which is primarily used to house or contain dogs or cats owned by persons other than the operator of such facility. The primary function of a boarding kennel is to temporarily harbor dogs or cats when the owner of the dogs or cats is unable to do so or to provide training, grooming, or other nonveterinary service for a consideration before returning the dogs or cats to the owner. A facility which houses or contains thirty or less dogs or cats in a twelve-month period is not a boarding kennel. Veterinary clinics, animal control facilities, and nonprofit animal shelters are not boarding kennels for the purposes of the act;

(2) Cat means any animal which is wholly or in part of the species felis domesticus;

(3) Commercial breeder means any person (a) engaged in the business of breeding dogs or cats and (b) who sells, exchanges, or leases dogs or cats in return for consideration or who offers to do so, whether or not the dogs or cats are bred, raised, trained, groomed, or boarded by such person. A person who owns or harbors three or less unaltered dogs or cats for breeding purposes which are at least six months of age shall not be a commercial breeder.

A person who sells, exchanges, or leases thirty or less dogs or cats in a twelve-month period shall not be a commercial breeder if all such dogs or cats are sold, exchanged, or leased to a final owner rather than for later retail sale or brokered trading. A person knowingly selling, exchanging, or leasing any dogs or cats for later retail sale or for brokered trading shall be classified as a commercial breeder;

(4) Dealer means any person who is not a commercial breeder but is engaged in the business of buying for resale or selling or exchanging dogs or cats as a principal or agent or who claims to be so engaged. A person who purchases, sells, exchanges, or leases thirty or less dogs or cats in a twelve-month period is not a dealer;

(5) Department means the Bureau of Animal Industry of the Department of Agriculture with the State Veterinarian in charge, subordinate only to the director;

(6) Director means the Director of Agriculture or his or her designated employee;

(7) Dog means any animal which is wholly or in part of

the species canis familiaris;

(8) Housing facility means any room, building, or areas used to contain a primary enclosure;

(9) Inspector means any person who is employed by the department and who is authorized to perform inspections pursuant to the act;

(10) Licensee means a person who has qualified for and received a license from the department pursuant to the act;

(11) Primary enclosure means any structure used to immediately restrict a dog or cat to a limited amount of space, such as a room, pen, cage, or compartment;

(12) Secretary of Agriculture means the Secretary of Agriculture of the United States Department of Agriculture; and

(13) Unaltered means any male or female dog or cat which has not been neutered or spayed or otherwise rendered incapable of reproduction.

Sec. 3. (1) Beginning April 1, 2001, a person shall not operate as a commercial breeder, a dealer, or a boarding kennel unless the person obtains the appropriate license as a commercial breeder, dealer, or boarding kennel. An applicant for a license shall submit an application for the appropriate license to the department, on a form prescribed by the department, together with a nonreturnable license fee. Such fee shall be one hundred dollars. The license fee shall be paid annually. Additionally, the department may conduct an inspection of the facilities and sanitation and confinement practices of the applicant or any other practices that may affect the humane treatment of dogs and cats. Upon receipt of the application and initial license fee, the appropriate license may be issued by the department. Such license shall not be transferable to another person or location.

(2) A license to operate as a commercial breeder, a license to operate as a dealer, or a license to operate as a boarding kennel shall be renewed by filing with the department at least thirty days prior to April 1 of each year of a renewal application and the annual license fee. Failure to renew a license prior to the expiration of the license shall result in an additional fee of twenty dollars required upon application to renew such license.

Sec. 4. The department shall establish an inspection program for applicants and licensees to determine whether the standards of care of the Commercial Dog and Cat Operation Inspection Act are being met. When an inspection produces evidence of a violation of the act or the rules and regulations of the department, a copy of a written report of the inspection and violations shown thereon, prepared by the inspector, shall be given to the applicant or licensee, together with written notice to comply within the time limit established by the department and set out in such notice. The premises of the applicant or licensee shall be open for inspection. The department and any officer, agent, employee, or appointee of the department shall have the right to enter upon the premises of any person who has, or is suspected of having, any dog or cat thereon, or any sanitation, housing, or other condition or practice that is in violation of the act.

Sec. 5. The department shall adopt and promulgate rules and regulations to carry out the Commercial Dog and Cat Operator Inspection Act. The rules and regulations may include, but are not limited to, provisions governing record-keeping and other requirements for persons required to have a license and any other matter deemed necessary by the department to carry out the act. The department shall use as a guideline for the humane handling, care, treatment, and transportation of dogs and cats the standards of the Animal and Plant Health Inspection Service of the United States Department of Agriculture as set out in 9 C.F.R. 3.1 to 3.19.

Sec. 6. Before the department approves an application for an initial license, an inspector of the department may inspect the operation of the applicant to determine whether the applicant qualifies to hold a license pursuant to the Commercial Dog and Cat Operator Inspection Act. An applicant who qualifies shall be issued a license. An applicant who does not receive a license shall be afforded the opportunity of a hearing before the director or the director's designee to present evidence that the applicant is qualified to hold a license should a license be issued. All such hearings shall be in accordance with the Administrative Procedure Act.

Sec. 7. (1) A licensee issued a license under the Commercial Dog and Cat Operator Inspection Act shall comply with the act, the rules and regulations, and any order of the director issued pursuant thereto. The licensee shall not interfere with the department in the performance of its duties.

(2) A licensee may be put on probation requiring such licensee to comply with the conditions set out in an order of probation issued by the director after:

(a) The director determines the licensee has not complied with subsection (1) of this section;

(b) The licensee is given written notice to comply and written notice of the right to a hearing to show cause why an order of probation should not be issued; and

(c) The director finds that issuing an order of probation is appropriate based on the hearing record or on the available information if the hearing is waived by the licensee.

(3) A license may be suspended after:

(a) The director determines the licensee has not complied with subsection (1) of this section;

(b) The licensee is given written notice to comply and written notice of the right to a hearing to show cause why the license should not be suspended; and

(c) The director finds that issuing an order suspending the license is appropriate based on the hearing record or on the available information if the hearing is waived by the licensee.

(4) A license may be immediately suspended and the director may order the operation of the licensee closed prior to hearing when:

(a) The director determines that there is a significant threat to the health or safety of the dogs or cats harbored or owned by the licensee; and

(b) The licensee receives written notice to comply and written notice of the right to a hearing to show cause why the suspension should not be sustained. Within fifteen days after the suspension, the licensee may request in writing a date for a hearing, and the director shall consider the interests of the licensee when the director establishes the date and time of the hearing, except that no hearing shall be held sooner than is reasonable under the circumstances. When a licensee does not request a hearing date within the fifteen-day period, the director shall establish a hearing date and notify the licensee of the date and time of such hearing.

(5) A license may be revoked after:

(a) The director determines the licensee has committed serious, repeated, or multiple violations of any of the requirements of subsection (1) of this section;

(b) The licensee is given written notice to comply and written notice to the right for a hearing to show cause why the license should not be revoked; and

(c) The director finds that issuing an order revoking the license is appropriate based on the hearing record or on the available information if the hearing is waived by the licensee.

(6) The operation of any licensee which has been suspended shall close and remain closed until the license is reinstated. Any operation for which the license has been revoked shall close and remain closed until a new license is issued.

(7) The director may terminate proceedings to suspend or revoke a license or subject a licensee to an order of probation at any time if the reasons for such proceedings no longer exist. A license which has been suspended may be reinstated, a person with a revoked license may be issued a new license, or a licensee may no longer be subject to an order of probation if the director determines the conditions which prompted the suspension, revocation, or probation no longer exist.

(8) Proceedings for suspension, revocation, or probation shall not preclude the department from seeking other civil or criminal actions.

Sec. 8. (1) Any notice or order provided for in the Commercial Dog and Cat Operator Inspection Act shall be properly served when it is personally served on the licensee or on the person authorized by the licensee to receive notices and orders of the department or when it is sent certified or registered mail, return receipt requested, to the last-known address of the licensee or the person authorized by the licensee to receive such notices and orders. A copy of the notice and the order shall be filed in the records of the department.

(2) A notice to comply with the conditions set out in the order of the director provided in section 7 of this act shall set forth the acts or omissions with which the licensee is charged.

(3) A notice of the licensee's right to a hearing provided for in sections 6 and 7 of this act shall set forth the time and place of the hearing except as otherwise provided in section 7 of this act. A notice of the licensee's right to such hearing shall include notice that such right to a hearing may be waived pursuant to subsection (5) of this section. A notice of the licensee's right to a hearing to show cause why the license shall not be revoked shall include notice to the licensee that the license may be revoked or suspended, that the licensee may be subject to an order of probation, or that the license may be suspended and the licensee subject to an order of probation, if the director determines such action is more appropriate. A notice of the licensee's right to a hearing to show cause why the license should not be suspended shall include notice to the licensee that the license may be suspended or that the licensee may also be subject to an order of probation if the director determines such action is more appropriate.

(4) The hearings provided for in the act shall be conducted by the director at the time and place he or she designates. The director shall make a final finding based on the complete hearing record and issue an order. If the director has suspended a license pursuant to subsection (4) of section 7 of this act, the director shall sustain, modify, or rescind the order after the hearing. All hearings shall be in accordance with the Administrative Procedure Act.

(5) A licensee waives the right to a hearing if such licensee does not attend the hearing at the time and place set forth in the notice described in subsection (3) of this section, without requesting the director at least two days before the designated time to change the time and place for the hearing, except that before an order of the director becomes final, the director may designate a different time and place for the hearing if the licensee shows the director that the licensee had a justifiable reason for not attending the hearing and not timely requesting a change of the time and place for such hearing. If the licensee waives the right to a hearing, the director shall make a final finding based upon the available information and issue an order. If the director has suspended a license pursuant to subsection (4) of section 7 of this act, the director may sustain, modify, or rescind the order after the hearing.

(6) Any person aggrieved by the finding of the director

has ten days after the entry of the director's order to request a new hearing if such person can show that a mistake of fact has been made which affected the director's determination. Any order of the director becomes final upon the expiration of ten days after its entry if no request for a new hearing is made.

Sec. 9. (1) In order to ensure compliance with the Commercial Dog and Cat Operator Inspection Act, the department may apply for a restraining order, temporary injunction, or mandatory injunction against any person violating or threatening to violate the act or the rules and regulations adopted and promulgated thereunder. The district court of the county where the violation is occurring or is about to occur shall have jurisdiction to grant relief upon good cause shown. Relief may be granted notwithstanding the existence of any other remedy at law and shall be granted without bond.

The county attorney of the county in which such violations are occurring or about to occur shall, when notified of such violation or threatened violation, cause appropriate proceedings under this section to be instituted and pursued without delay.

(2) If alleged violations of the Commercial Dog and Cat Operator Inspection Act or the rules and regulations of the department pose a significant threat to the health or safety of the dogs or cats harbored or owned by an applicant or licensee, the department may request a law enforcement officer as defined in section 28-1008 to impound the dogs or cats pursuant to sections 28-1011 and 28-1012.

Sec. 10. (1) It is unlawful for a person to operate without a valid license or operate while a license is revoked or suspended if a license is required by the Commercial Dog and Cat Operator Inspection Act. A licensee shall not operate in any manner which is not in conformity with the act or the rules and regulations adopted and promulgated pursuant thereto or interfere with the duties of the department or any final order of the director pursuant to the act.

(2) Any person who violates any provision of the act is guilty of a Class I misdemeanor.

Sec. 11. The Commercial Dog and Cat Operator Inspection Program Cash Fund is created and shall consist of money appropriated by the Legislature, gifts, grants, costs, or charges from any source, including federal, state, public, and private sources. The funds shall be used to carry out the Commercial Dog and Cat Operator Inspection Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 12. The department may cooperate with the Secretary of Agriculture in carrying out applicable federal law and the regulations issued by the Secretary of Agriculture under such law.

The department may enter into contracts with any person to implement any or all of the provisions of the Commercial Dog and Cat Operation Inspection Act.

Sec. 13. This act becomes operative on July 1, 2000.

Sec. 14. Since an emergency exists, this act takes effect when passed and approved according to law.".

LEGISLATIVE BILL 833. Placed on General File as amended.
Standing Committee amendment to LB 833:
AM2004

1. Strike the original sections and insert the following new sections:

"Section 1. Section 54-2607, Revised Statutes Supplement, 1999, is amended to read:

54-2607. Except as provided in sections 54-2608 and 54-2609, it is unlawful for a packer purchasing or entering into a contract to purchase swine originating in this state to pay or enter into a contract to pay different prices to the sellers of the swine. This section shall not be construed to mean that a price or payment method must remain fixed throughout any marketing period.

Sec. 2. Section 54-2608, Revised Statutes Supplement, 1999, is amended to read:

54-2608. Section 54-2607 does not apply to any direct, spot, or cash purchase of swine if the ~~following requirements are met:~~

~~(1) The~~ difference in price is based on: ~~(a)~~ (1) A payment method specifying prices paid for criteria relating to carcass merit; or ~~(b)~~ (2) actual and quantifiable costs related to transporting and acquiring the swine by the packer. ~~; and~~

~~(2) After making the payment to a seller, the packer reports the payment information required under section 54-2613, including the payment method specifying prices paid for criteria relating to carcass merit and transportation and acquisition costs.~~

Sec. 3. Section 54-2609, Revised Statutes Supplement, 1999, is amended to read:

54-2609. Section 54-2607 does not apply to any contract to purchase swine at a certain date or time if the following requirements are met:

(1) The difference in price is based on: (a) A payment method specifying prices paid for criteria relating to carcass merit; or (b) actual and quantifiable costs related to transporting and acquiring the swine by the packer; and

(2) ~~The packer reports the payment information required under section 54-2613, including the payment method specifying prices paid for criteria relating to carcass merit and transportation and acquisition costs;~~

~~(3) The packer reports the information required under section 54-2613, including the price to be paid for swine to be delivered on specified delivery dates or times; and~~

~~(4)~~ An offer to enter into a contract for the delivery of swine, according to the same terms and conditions, is made to other sellers.

Sec. 4. Section 54-2617, Revised Statutes Supplement, 1999, is amended to read:

54-2617. It is unlawful for a packer to enter into a contract to purchase cattle originating in this state for slaughter if:

(1) The contract specifies that the seller is not allowed to ~~report~~ disclose the terms of the contract; or

(2) The date of delivery of such cattle is not specified.

Sec. 5. Section 54-2618, Revised Statutes Supplement, 1999, is amended to read:

54-2618. Section 54-2617 does not apply to any contract to purchase cattle for slaughter if the ~~following conditions are met:~~

~~(1) The~~ contract to purchase cattle for slaughter specifies the month of delivery and allows the seller to set the week for delivery within such month.~~; and~~

~~(2) The packer reports the contract information as required under section 54-2623, including specified delivery dates or times.~~

Sec. 6. Section 54-2619, Revised Statutes Supplement, 1999, is amended to read:

54-2619. It is unlawful for a packer to enter into a contract to purchase cattle originating in this state for slaughter using a formula or grid pricing mechanism ~~if the packer fails to negotiate~~ in which a base price is not established prior to the cattle being committed or scheduled for slaughter.

Sec. 7. Original sections 54-2607 to 54-2609 and 54-2617 to 54-2619, Revised Statutes Supplement, 1999, are repealed.".

(Signed) Merton L. Dierks, Chairperson

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

LB 1135	Wednesday, February 2, 2000	1:30 p.m.
LB 1365	Wednesday, February 2, 2000	1:30 p.m.
LB 1410	Wednesday, February 2, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

AMENDMENT - Print in Journal

Senator Beutler filed the following amendment to LB 477:
AM2109

(Amendments to E & R amendments, AM7174)

1. On page 3, line 17 strike "Account" and insert

"Fund"; strike beginning with "as" in line 17 through "Funds" in line 19 and insert ". For administrative purposes, the fund shall be located in the Department of Agriculture. All revenue"; in line 19 strike "account" and insert "fund"; and in line 20 strike "appropriated" through "Agriculture" and insert "used by the department".

2. On page 4, lines 6 and 8, strike "account" and insert "fund"; and in line 9 after the period insert "Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.".

UNANIMOUS CONSENT - Add Cointroducers

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 1174 and LB 1241. No objections. So ordered.

Senator Brown asked unanimous consent to have her name added as cointroducer to LB 1087 and LB 1241. No objections. So ordered.

Senators Dw. Pedersen and Hartnett asked unanimous consent to have their names added as cointroducers to LB 1087. No objections. So ordered.

Senator Tyson asked unanimous consent to have his name added as cointroducer to LB 1087, LB 1174, and LB 1241. No objections. So ordered.

Senators Aguilar and Hartnett asked unanimous consent to have their names added as cointroducers to LB 1414. No objections. So ordered.

VISITORS

Visitors to the Chamber were Justin Rutherford, Carletta Sanford, Dominique Finch, and Shelli Henry from Omaha; Tim Anderson and Ilene Grossman from the Council of State Governments; 25 members and sponsor from Governor's Youth Advisory Council; and former Senator David Bernard-Stevens from North Platte.

The Doctor of the Day was Dr. Richard Hanisch from St. Paul.

ADJOURNMENT

At 12:04 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Thursday, January 27, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTEENTH DAY - JANUARY 27, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

FIFTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 27, 2000

PRAYER

The prayer was offered by Reverend Burton Knudsen, First Presbyterian Church, Wahoo, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Bohlke, Byars, Coordsen, Hartnett, Kiel, Landis, Raikes, Schrock, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourteenth day was approved.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1111. Placed on General File.
LEGISLATIVE BILL 1125. Placed on General File.

LEGISLATIVE BILL 1119. Placed on General File as amended.
Standing Committee amendment to LB 1119:
AM2113

1. On page 13, strike beginning with "At" in line 10 through line 16.
2. On page 22, strike beginning with "At" in line 13 through line 19.
3. On page 28, strike beginning with "an" in line 18 through "provisions" in line 19 and insert "a written listing of the policy forms"; and in line 23 strike "provisions" and insert "policy forms".

4. On page 32, lines 5 and 6 and 7, strike "primarily located" and insert "headquartered"; and strike beginning with "whether" in line 8 through "jurisdiction" in line 11 and insert "where the largest number of the officers and senior management are physically located".

LEGISLATIVE BILL 1148. Placed on General File as amended.
Standing Committee amendment to LB 1148:
AM2089

1. On page 2, line 9, strike "(2)" and insert "(2)(a)"; and in line 11 after "limited" insert "solely" and after "licensee" insert "and the servicing rights to the loans are retained by the licensee or assigned or otherwise transferred to a financial institution, licensee, or permittee.

(b) For purposes of this subsection:

(i) Affiliate means an entity that controls, is controlled by, or is under common control with another entity;

(ii) Control means to own directly or indirectly or to control in any manner twenty-five percent of the voting shares of an entity or to control in any manner the election of the majority of directors of any entity; and

(iii) Securitization means the placing of individual installment loans made by licensees into a commingled or pooled security that is subsequently sold or otherwise transferred to another entity.

(c) Nothing in this subsection shall be construed to exempt a licensee or affiliate from the provisions of the Securities Act of Nebraska".

(Signed) David M. Landis, Chairperson

Urban Affairs

LEGISLATIVE BILL 1103. Placed on General File.
LEGISLATIVE BILL 1198. Placed on General File.

LEGISLATIVE BILL 1116. Placed on General File as amended.
Standing Committee amendment to LB 1116:
AM2135

1. Insert the following new section:

"Section 1. A city of the primary class may adopt biennial budgets for biennial periods if such budgets are provided for by a city charter provision. For purposes of this section:

(1) Biennial budget means a budget that provides for a biennial period to determine and carry on the city's financial and taxing affairs; and

(2) Biennial period means the two fiscal years comprising a biennium commencing in odd-numbered years.".

2. Renumber the remaining sections accordingly.

(Signed) D. Paul Hartnett, Chairperson

MESSAGE FROM THE GOVERNOR

December 30, 1999

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Nebraska Advisory Commission on Compulsive Gambling:

APPOINTEES:
Judy Streeks, 2852 Jane La, Lincoln NE 68516
Jerry Bauerkemper, 17116 Karen St, Omaha NE 68135
Thomas Nutt, 1418 8th Ave, Holdrege NE 68949

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

AMENDMENT - Print in Journal

Senator Kremer filed the following amendment to LB 367:
AM2143

(Amendments to Standing Committee amendments, AM0615)

1. Insert the following new sections:

"Sec. 5. Section 19-926, Reissue Revised Statutes of Nebraska, is amended to read:

19-926. (1) The planning commission shall consist of nine regular members who shall represent, insofar as is possible, the different professions or occupations in the municipality and shall be appointed by the mayor, by and with the approval of a majority vote of the members elected to the council or the village board. Two of the regular members may be residents of the area over which the municipality is authorized to exercise extraterritorial zoning and subdivision regulation. When there is a sufficient number of residents in the area over which the municipality exercises extraterritorial zoning and subdivision regulation, one regular member of the commission shall be a resident from such area. If it is determined by the city council or village board that a sufficient number of residents reside in the area subject to extraterritorial zoning or subdivision regulation, and no such resident is a regular member of the commission, the first available vacancy on the commission shall be filled by the appointment of such an individual. For purposes of this section, a sufficient number of residents shall mean: (a) For a village, ~~two hundred residents~~ a number of residents at least equal to five percent of the residents of the village as determined by the most recent federal decennial census; (b) for a city of the second class, ~~five hundred residents~~ a number of residents at least equal to five percent of the residents of the city as determined by the most recent federal decennial census; and (c) for a city of the first class, one thousand residents. A number of commissioners equal to a majority of the number of regular members appointed to the commission shall constitute a quorum for the transaction of any business. All regular members of the commission shall serve without compensation and shall hold no other municipal office except when appointed to serve on the board of adjustment as provided in section 19-908. The term of each regular member shall be three years, except that three regular members of the first commission to be so appointed shall serve for terms of one year, three for terms of two years, and three for terms of three years. All regular members shall hold office until their successors are appointed. Any member may, after a public hearing before the council or village board, be removed by the mayor with the consent of a majority vote of the members elected to the council or village board for inefficiency, neglect of duty or malfeasance in office, or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired portion of the term by the mayor.

(2) Notwithstanding the provisions of subsection (1) of this section, the planning commission for any city of the second class or village may have either five, seven, or nine regular members as the city council or village board of trustees establishes by ordinance. If a city or village planning commission has either five or seven regular members, approximately one-third of the regular members of the first commission shall serve for terms of one year, one-third for terms of two years, and one-third for terms of three years.

(3) A city of the first or second class or a village may, by ordinance, provide for the appointment of one alternate member to the planning commission who shall be chosen by the mayor with the approval of a majority vote of the elected members of the council or village board. The alternate member shall serve without compensation and shall hold no other municipal office. The term of the alternate member shall be three years, and he or she shall hold office until his or her successor is appointed and approved. The

alternate member may be removed from office in the same manner as a regular member. If the alternate member position becomes vacant other than through the expiration of the term, the vacancy shall be filled for the unexpired portion of the term by the mayor with the approval of a majority vote of the elected members of the council or village board. The alternate member may attend any meeting and may serve as a voting and participating member of the commission at any time when less than the full number of regular commission members is present and capable of voting.

Sec. 6. Original section 19-926, Reissue Revised Statutes of Nebraska, is repealed.".

2. On page 1, line 19, strike "this section" and all amendments thereto and insert "sections 1 to 4 of this act".

3. Underscore the remaining sections.

MOTION - Withdraw LB 1373

Senator Vrtiska renewed his pending motion, found on page 414, to withdraw LB 1373.

The Vrtiska motion to withdraw prevailed with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 477. E & R amendment, AM7174, found on page 400, was adopted.

Senator Beutler renewed his pending amendment, AM2109, found on page 458.

The Beutler amendment was adopted with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 120. Senator Chambers renewed his pending motion, found on page 423, to reconsider the vote on the Chambers amendment, FA270, found on page 422.

SENATOR WICKERSHAM PRESIDING

Senator Chambers withdrew his motion to reconsider.

Senator Chambers withdrew his amendment, FA271, found on page 425.

The Standing Committee amendment, AM0173, found on page 859, First

Session, 1999, and considered on pages 411 and 417, was renewed.

The Standing Committee amendment lost with 0 ayes, 32 nays, 14 present and not voting, and 3 excused and not voting.

Senator D. Pederson withdrew his amendment, AM0927, found on page 412.

Senators Beutler and Brashear offered the following amendment:
AM2154

1. Insert the following new section:

"Sec. 3. Section 43-2915, Reissue Revised Statutes of Nebraska, is amended to read:

43-2915. (1) The parenting plan shall include a schedule which designates in which party's home the minor child shall reside on given days of the year, including provisions for specified religious and secular holidays, birthdays of family members, vacations, and other special occasions.

(2) In the development of a parenting plan, consideration shall be given to the minor child's age and developmental needs and provision of a healthy relationship between the minor child and each party with the goal of maintaining significant visitation time for the noncustodial parent with the time the child spends with the custodial parent.

(3) The minimum court-ordered time the minor child shall spend with each parent shall be specified, including, but not limited to, specified religious and secular holidays, birthdays, vacations, and other special occasions.

(4) The decree shall include the parenting plan developed by the parents through mediation and approved by the court pursuant to the Parenting Act.".

2. On page 2, strike the new matter in lines 13 through 15 and insert "and consideration shall be given to placing legal custody of the minor child with both parents on a shared or joint custody basis. The custody determination of the court shall include both the determination of to whom the legal custody of the child shall be given and the determination of to whom the physical custody of the child shall be given as separate and independent issues"; and in line 20 after "custody" insert "and visitation".

3. On page 3, line 7, after "custody" insert "and visitation"; strike lines 9 through 14 and insert

"(a) The court may place the minor child in joint legal custody or in joint physical custody only after conducting a hearing in open court and specifically finding that such joint custody is in the best interests of the minor child. If joint legal custody or joint physical custody is ordered, each parent shall have the right to make decisions in the best interests of the minor child in accordance with the parenting plan developed under the Parenting Act. A decree ordering joint legal custody or joint

16 physical custody shall include a parenting plan;"; and in line 17
17 after "other" insert "; and
18 (c) In determining visitation arrangements, it shall be a
19 goal of the court to maintain significant visitation time for the
20 noncustodial parent with the time the child spends with the
21 custodial parent, unless such goal is not in the best interests of
22 the minor child".
23 4. On page 7, line 22, strike "and 43-2,113" and insert
24 ", 43-2,113, and 43-2915".
25 5. Renumber the remaining section accordingly.

Senator Chambers offered the following amendment to the Beutler-Brashear amendment:
FA273
Amend AM2154
P.1, line 23, strike "shall" and insert "may"

Senators Dickey and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Bromm asked unanimous consent to bracket LB 120 until February 17, 2000. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Appropriations

LB 1242	Tuesday, February 8, 2000 (cancel)	1:30 p.m.
LB 1259	Tuesday, February 8, 2000 (cancel)	1:30 p.m.
LB 1349	Tuesday, February 8, 2000	1:30 p.m.
LB 1242	Friday, February 11, 2000 (reschedule)	1:30 p.m.
LB 1259	Friday, February 11, 2000 (reschedule)	1:30 p.m.
LB 1314	Friday, February 11, 2000	1:30 p.m.
LB 1425	Friday, February 11, 2000	1:30 p.m.

(Signed) Roger R. Wehrbein, Chairperson

General Affairs

Monday, February 7, 2000 1:30 p.m.
Nebraska Arts Council
Fred Teller
Robert Wolfe

LB 1346	Monday, February 7, 2000	1:30 p.m.
LB 1174	Monday, February 7, 2000	1:30 p.m.
LB 1034	Monday, February 7, 2000	1:30 p.m.
LB 1130	Monday, February 7, 2000	1:30 p.m.
LB 1171	Monday, February 7, 2000	1:30 p.m.

LB 1347	Monday, February 7, 2000	1:30 p.m.

Monday, February 14, 2000 1:30 p.m.
Nebraska Arts Council
Thompson Rogers

LB 905	Monday, February 14, 2000	1:30 p.m.
LB 1087	Monday, February 14, 2000	1:30 p.m.
LB 1241	Monday, February 14, 2000	1:30 p.m.
LB 913	Monday, February 14, 2000	1:30 p.m.
LB 1423	Monday, February 14, 2000	1:30 p.m.

Monday, February 14, 2000 4:00 p.m.
Nebraska Liquor Control Commission
Rhonda Flower

(Signed) Ray Janssen, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative appointments:

Bauerkemper, Jerry – Nebraska Advisory Commission on Compulsive Gambling – General Affairs

Nutt, Thomas – Nebraska Advisory Commission on Compulsive Gambling – General Affairs

Streeks, Judy – Nebraska Advisory Commission on Compulsive Gambling – General Affairs

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

GENERAL FILE

LEGISLATIVE BILL 175. Title read. Considered.

Senator Chambers asked unanimous consent to bracket LB 175 until March 15, 2000.

Senator Hilgert objected.

Senator Chambers moved to bracket LB 175 until March 15, 2000.

Senators Cudaback and Janssen asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR SCHIMEK PRESIDING

Senators Beutler, Hartnett, and Landis asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR WICKERSHAM PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Chambers requested a record vote on his motion to bracket LB 175.

Voting in the affirmative, 3:

Bourne   Connealy   Landis

Voting in the negative, 30:

Aguilar   Bromm   Brown   Bruning   Byars
Coordsen   Dickey   Dierks   Engel   Hilgert
Hudkins   Janssen   Jensen   Jones   Kremer
Lynch   Matzke   Pedersen, Dw.   Pederson, D.   Preister
Price   Quandahl   Raikes   Redfield   Smith
Stuhr   Tyson   Vrtiska   Wehrbein   Wickersham

Present and not voting, 13:

Baker   Bohlke   Brashear   Chambers   Crosby
Cudaback   Kiel   Kristensen   Schimek   Schmitt
Schrock   Suttle   Thompson

Excused and not voting, 3:

Beutler   Hartnett   Robak

The Chambers motion to bracket failed with 3 ayes, 30 nays, 13 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Standing Committee amendment, AM0648, found on page 860, First Session, 1999, was considered.

Senators Kristensen, Landis, and Jones asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers requested a division of the question on the Standing Committee amendment.

The Chair sustained the division of the question.

The first Standing Committee amendment is as follows:
FA274

1. Strike section 1.

Senators Byars and Cudaback asked unanimous consent to be excused until they return. No objections. So ordered.

Pending.

STANDING COMMITTEE REPORTS

Natural Resources

LEGISLATIVE BILL 488. Indefinitely postponed.
LEGISLATIVE BILL 639. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

Revenue

LEGISLATIVE BILL 171. Placed on General File as amended.
Standing Committee amendment to LB 171:
AM2103

1. Strike the original sections and insert the following new sections:

"Section 1. Section 77-2701, Revised Statutes Supplement, 1998, is amended to read:

77-2701. Sections 77-2701 to 77-27,135.01 and section 2 of this act shall be known and may be cited as the Nebraska Revenue Act of 1967.

Sec. 2. (1) Any over-the-air television station which purchases machinery or equipment after July 1, 1999, and prior to December 31, 2003, which is used directly and primarily for the purpose of producing a digital broadcast signal and which is determined by the Department of Revenue to be necessary to comply with the provisions of the federal Telecommunication Act of 1996 which require digital broadcasting equipment to be used at federally licensed facilities, may apply for a refund of all of the Nebraska sales and use taxes and all of the local option sales and use taxes paid on the machinery or equipment.

(2) The purchaser shall file a claim within three years after the date of the purchase with the Tax Commissioner. The information provided on the claim may be disclosed to any other tax official of this state.

Sec. 3. Original section 77-2701, Revised Statutes Supplement, 1998, is repealed.".

(Signed) William R. Wickersham, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 901A. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 901, Ninety-sixth Legislature, Second Session, 2000.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

LR 294CA	Thursday, February 3, 2000	1:30 p.m.
LB 1265	Thursday, February 3, 2000	1:30 p.m.
LB 1281	Thursday, February 3, 2000	1:30 p.m.
LB 1319	Thursday, February 3, 2000	1:30 p.m.
LB 1308	Thursday, February 3, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

AMENDMENTS - Print in Journal

Senator Schimek filed the following amendment to LB 654:
AM2123

(Amendments to Standing Committee amendments, AM0711)

1. Strike amendments 1, 2, 4, and 5 and renumber the remaining amendment accordingly.

Senator Schimek filed the following amendment to LB 654:
(Amendment, AM2159, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Lynch filed the following amendment to LB 654A:
AM2160

(Amendments to AM2124)

1. On page 1, after line 13 insert the following:
"Pursuant to section 81-188.01, funds appropriated in this section shall be expended to conduct renewal work as defined in section 81-173. The Task Force for Building Renewal shall allocate funds appropriated in this section for building renewal projects and shall administer such funds in a manner consistent with the Deferred Building Renewal Act.".

Senator Beutler filed the following amendment to LB 120:
AM2145

1. On page 2, strike the new matter in lines 13 through 15 and insert "and consideration shall be given to placing legal

custody of the minor child with both parents on a shared or joint custody basis. The custody determination of the court shall include both the determination of to whom the legal custody of the child shall be given and the determination of to whom the physical custody of the child shall be given as separate and independent issues"; and in line 20 after "custody" insert "and visitation".

2. On page 3, line 7, after "custody" insert "and visitation"; and strike lines 9 through 14 and insert "(a) The court may place the minor child in joint legal custody or in joint physical custody only after conducting a hearing in open court and specifically finding that such joint custody is in the best interests of the minor child. If joint legal custody or joint physical custody is ordered, each parent shall have the right to make decisions in the best interests of the minor child in accordance with the parenting plan developed under the Parenting Act. A decree ordering joint legal custody or joint physical custody shall include a parenting plan; and".

ANNOUNCEMENT

Senator Schimek designates LR 289CA as her priority resolution.

RESOLUTION

LEGISLATIVE RESOLUTION 300. Introduced by Jones, 43.

WHEREAS, the National Audubon Society, Inc., has conveyed to the Nebraska Game and Parks Foundation property located in Rock County, Nebraska, which will be maintained as the Fred Thomas Wildlife Management Area for public outdoor recreation activities; and

WHEREAS, the Game and Parks Commission has the general authority to acquire real estate with the consent of the Governor by gift; and

WHEREAS, in the interest of promoting outdoor opportunities for Nebraskans, the Legislature wishes to grant approval for the Game and Parks Commission to obtain title to all or any part of such land presently held in trust by the Nebraska Game and Parks Foundation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature approves the gift from the Nebraska Game and Parks Foundation to the Game and Parks Commission of all of the real estate described as follows:

The south half of the northeast quarter (S 1/2 NE 1/4), the north half of the southeast quarter (N 1/2 SE 1/4), and lots one and two of section 30, township 32 north, range 19 west of the 6th principal meridian, Rock County, Nebraska.

2. That such approval is granted with the understanding that the land described shall be designated and utilized as the Fred Thomas Wildlife Management Area.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 300 was referred to the Reference Committee.

STANDING COMMITTEE REPORT
General Affairs

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Arts Council
  Paul Sjulin

State Electrical Board
  James Dietz
  Riley George

VOTE: Aye: Senators Cudaback, Hartnett, Janssen, Schrock, and Smith. Nay: None. Absent: Senators Connealy, Dickey, and Quandahl.

(Signed) Ray Janssen, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills and resolution were correctly engrossed: LBs 480, 480A, 534, 788, and LR 6CA.

Enrollment and Review Change to LB 480

The following changes, required to be reported for publication in the Journal, have been made:
ER9109
1. In lieu of the Stuhr amendment, FA272, in the Schimek amendment, AM1749, on page 4, after line 8, the following new subsection has been inserted:
"(8) The advisory council terminates on December 31, 2004.".
2. In lieu of the Schimek amendment, AM1957, in the Schimek amendment, AM1749, on page 2, line 16, "or physician's assistant" has been inserted after "practitioner".

(Signed) Adrian M. Smith, Chairperson

UNANIMOUS CONSENT – Room Changes

Senator Wehrbein asked unanimous consent for the Appropriations Committee to conduct its hearing on Tuesday, February 1, 2000, in Room 1003 instead of Room 1524. No objections. So ordered.

Senator Wehrbein asked unanimous consent for the Appropriations Committee to conduct its hearing on Tuesday, February 8, 2000, in Room 1003 instead of Room 1524. No objections. So ordered.

Senator Dierks asked unanimous consent for the Agriculture Committee to conduct its hearing on Tuesday, February 1, 2000, in Room 1524 instead of Room 2102. No objections. So ordered.

UNANIMOUS CONSENT - Add Cointroducers

Senators Byars and Thompson asked unanimous consent to have their names added as cointroducers to LB 410. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 1079. No objections. So ordered.

VISITORS

Visitors to the Chamber were Linda Peacock from O'Neill; Steve and Cathy Mattoon from Sidney; Dode Miller from Wahoo and Lauretta Neuhaus from Polk; and Sara and Matthew Mitchell from Omaha.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Brashear, the Legislature adjourned until 9:00 a.m., Friday, January 28, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

SIXTEENTH DAY - JANUARY 28, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, January 28, 2000

PRAYER

The prayer was offered by Pastor Bob Walz, Berean Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Bruning who was excused; and Senators Bohlke, Bromm, Brown, Kiel, Landis, Matzke, and Wehrbein who were excused and until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 153, 153A, 288, 289, 289A, 410, 477, 523, 582, and 658.

Enrollment and Review Change to LB 477

The following changes, required to be reported for publication in the Journal, have been made:
ER9111
1. In the E & R amendments, AM7174, on page 3, line 2, "Director" has been struck and "Department" inserted.

Enrollment and Review Change to LB 658

The following changes, required to be reported for publication in the Journal, have been made:

ER9110

1. On page 4, line 22, the semicolon has been struck and an underscored comma inserted.

(Signed) Adrian M. Smith, Chairperson

NOTICE OF COMMITTEE HEARING
Appropriations

LB 1369	Thursday, February 10, 2000	1:30 p.m.
LB 1396	Thursday, February 10, 2000	1:30 p.m.

(Signed) Roger R. Wehrbein, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of January 27, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris – Lincoln; Wellness International Network Ltd. (Withdrawn 01/21/2000)
Boucher Law Firm
  Boucher, Richard – Lincoln; Nebraska Sheriff's Association
Crosby, Guenzel, Davis, Kessner & Kuester
  Weber, Rocky – Lincoln; Nebraska Cooperative Council
Fulton, Jack A. – Westminster, CO; The Western Sugar Company
Jensen Associates, Inc.
  Jensen, Ronald L. – Lincoln; The Nebraska Society of Radiologic Technologists
Jorgensen, Dawn M. – Grand Island; ABATE of Nebraska Inc.
Pappas, James E. – Lincoln; LaVista Keno; Nebraska Lakes Incorporated; Northwestern Public Service; UNO Faculty
Pollard, Scott – Lincoln; Nebraska Petroleum Marketers & Convenience Store Association
Radcliffe and Associates
  Radcliffe, Walter H. – Lincoln; Nebraska Securities Industry Association (Withdrawn 01/27/2000)
Sieh, Loren – Naper; Boyd County Local Monitoring Committee

UNANIMOUS CONSENT - Member Excused

Senator Dickey asked unanimous consent to be excused until he returns. No objections. So ordered.

MOTION - Approve Appointment

Senator Bohlke moved the adoption of the report of the Education Committee for the following appointment found on page 445: M. Jane Keller - Board of Educational Lands and Funds.

Voting in the affirmative, 34:

Aguilar Beutler Bohlke Bourne Brashear
Connealy Coordsen Crosby Cudaback Dierks
Hartnett Hilgert Hudkins Janssen Jensen
Jones Kremer Kristensen Pedersen, Dw. Pederson, D.
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Vrtiska Wickersham

Voting in the negative, 0.

Present and not voting, 7:

Baker Byars Chambers Engel Lynch
Preister Tyson

Excused and not voting, 8:

Bromm Brown Bruning Dickey Kiel
Landis Matzke Wehrbein

The appointment was confirmed with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 884.

A BILL FOR AN ACT relating to the Nebraska Mental Health Commitment Act; to amend sections 83-1003, 83-1008, 83-1013, 83-1015, 83-1016, 83-1019, 83-1023, 83-1024, 83-1026, 83-1047, 83-1048, 83-1049, 83-1050, 83-1051, 83-1055, 83-1058, 83-1059, 83-1061, 83-1062, 83-1064, 83-1066, and 83-1069, Reissue Revised Statutes of Nebraska; to change citation references; to change and eliminate references to repealed sections; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Byars	Chambers	Connealy	Coordsen
Crosby	Cudaback	Dickey	Dierks	Hartnett
Hilgert	Hudkins	Janssen	Jensen	Jones
Kremer	Kristensen	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Price	Quandahl	Raikes	Redfield
Robak	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 2:

Engel	Preister

Excused and not voting, 5:

Bromm	Brown	Bruning	Kiel	Landis

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 885.

A BILL FOR AN ACT relating to the Strategic Air Command Museum; to amend section 81-1211, Reissue Revised Statutes of Nebraska; to repeal obsolete provisions governing divestment; to harmonize provisions; to repeal the original section; and to outright repeal sections 90-261 to 90-263, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Byars	Chambers	Connealy	Coordsen
Crosby	Cudaback	Dickey	Dierks	Engel
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kremer	Kristensen	Landis	Lynch
Matzke	Pedersen, Dw.	Pederson, D.	Price	Quandahl
Raikes	Redfield	Robak	Schimek	Schmitt
Schrock	Smith	Stuhr	Suttle	Thompson

Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Preister

Excused and not voting, 4:

Bromm Brown Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 886.

A BILL FOR AN ACT relating to revenue and taxation; to eliminate provisions relating to a depreciation surcharge applicable to tax year 1992; and to outright repeal sections 77-2716.02, 77-2734.17, and 77-2769.03, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Brashear Brown Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Preister Schrock

Excused and not voting, 3:

Bromm Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 887.

A BILL FOR AN ACT relating to the Nebraska Constitutional Revision Commission; to repeal provisions relating to the commission; and to outright repeal sections 49-1601 to 49-1603, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen
Landis	Lynch	Matzke	Pedersen, Dw.	Pederson, D.
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Preister	Schrock

Excused and not voting, 2:

Bruning	Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 888.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to repeal a section that terminated on June 30, 1997; and to outright repeal section 81-2266, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks

Engel	Hartnett	Hilgert	Hudkins	Janssen
Jensen	Jones	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Price
Quandahl	Raikes	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Bromm	Preister

Excused and not voting, 2:

Bruning	Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 889.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to repeal provisions governing an advisory committee that was to exist for three years after June 14, 1995; and to outright repeal section 68-704, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen
Landis	Lynch	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Raikes	Redfield
Robak	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Excused and not voting, 2:

Bruning	Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 890.

A BILL FOR AN ACT relating to electronic information; to repeal provisions governing a plan that was to be issued by March 1, 1995; and to outright repeal sections 50-439 to 50-442, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Bruning
Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 891.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-3228 and 2-3235, Revised Statutes Supplement, 1999; to harmonize provisions with Laws 1999, LB 436; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey

Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 892.

A BILL FOR AN ACT relating to the Managed Care Plan Act; to amend sections 68-1048, 68-1050, 68-1051, 68-1056, and 68-1064, Reissue Revised Statutes of Nebraska; to delete references to the Managed Care Commission that ceased to exist April 1, 1997; to harmonize provisions; to repeal the original sections; and to outright repeal sections 68-1052, 68-1053, 68-1054, 68-1055, 68-1065, and 68-1066, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 2:

Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 893.

A BILL FOR AN ACT relating to state government; to amend sections 23-1715, 81-1120.02, and 81-1120.03, Reissue Revised Statutes of Nebraska; to remove references to an eliminated board; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Byars	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hartnett	Hilgert	Hudkins	Janssen
Jensen	Jones	Kremer	Landis	Lynch
Matzke	Pedersen, Dw.	Pederson, D.	Preister	Price
Quandahl	Raikes	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Chambers Kristensen

Excused and not voting, 2:

Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 894.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to repeal a duty relating to the 1982 legislation adopting the code; and to outright repeal section 43-2,130, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to

procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Bruning Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, and LR 297.

UNANIMOUS CONSENT - Member Excused

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 175. The first Standing Committee amendment, FA274, found on page 470, was renewed.

Senator Chambers offered the following amendment to the first Standing Committee amendment:
FA277
Amend AM0648 (First Division)
P. 2, line 11, beginning with "Any" strike all language through "dog" in line 18.

Senators Cudaback and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 11 ayes, 2 nays, and 36 not voting.

Senator Hilgert requested a record vote on the Chambers amendment.

Voting in the affirmative, 33:

Aguilar Baker Bohlke Bourne Brashear
Bromm Byars Chambers Connealy Coordsen
Dickey Hilgert Janssen Jones Kremer
Landis Matzke Pedersen, Dw. Pederson, D. Price
Raikes Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Vrtiska Wehrbein Wickersham

Voting in the negative, 2:

Crosby Tyson

Present and not voting, 9:

Beutler Brown Dierks Hartnett Hudkins
Kristensen Lynch Preister Quandahl

Excused and not voting, 5:

Bruning Cudaback Engel Jensen Kiel

The Chambers amendment was adopted with 33 ayes, 2 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senators Kristensen, Coordsen, Dierks, Lynch, Hartnett, Landis, and Wickersham asked unanimous consent to be excused until they return. No objections. So ordered.

The first Standing Committee amendment, as amended, was adopted with 28 ayes, 0 nays, 10 present and not voting, and 11 excused and not voting.

Senators Raikes and Janssen asked unanimous consent to be excused until they return. No objections. So ordered.

The second Standing Committee amendment is as follows:
FA275

2. On page 3, lines 5 and 14, strike "one thousand" and insert "five hundred".

3. On page 6, line 5 reinstate the stricken matter and strike "If not contested, trial"; in line 8 strike ". If

contested" and insert "unless the defendant appears and contests the action. If the defendant appears and contests the action"; in line 8 strike "less than ten nor" and show as stricken; and in line 19 strike "ten", show as stricken, and insert "five".

Senator Chambers offered the following amendment to the second Standing Committee amendment:
FA278
Amend AM0648 (Division 2)
P. 3, line 4, strike "believed" and insert "has been determined by a qualified evaluator of such property"

SENATOR CUDABACK PRESIDING

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

Senators Wickersham, Kristensen, and Tyson asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers requested a record vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 4:

Crosby Hilgert Pedersen, Dw. Wehrbein

Present and not voting, 34:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Byars Chambers
Connealy Cudaback Dickey Hartnett Hudkins
Jensen Jones Kremer Matzke Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Vrtiska

Excused and not voting, 11:

Bruning Coordsen Dierks Engel Janssen
Kiel Kristensen Landis Lynch Tyson
Wickersham

The Chambers amendment lost with 0 ayes, 4 nays, 34 present and not voting, and 11 excused and not voting.

Senators Robak, Bohlke, Suttle, Brashear, Price, Raikes, and Stuhr asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers moved to reconsider the vote on the Chambers amendment, FA278.

Senators Vrtiska, Smith, and Thompson asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers motion to reconsider failed with 0 ayes, 3 nays, 25 present and not voting, and 21 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 1022. Placed on General File.

(Signed) Jim Jensen, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1012. Placed on General File.
LEGISLATIVE BILL 1018. Placed on General File.
LEGISLATIVE BILL 1019. Placed on General File.
LEGISLATIVE BILL 1075. Placed on General File.

LEGISLATIVE BILL 951. Placed on General File as amended.
Standing Committee amendment to LB 951:
AM2137
1. On page 4, line 14, strike "one dollar" and insert "fifty cents".
2. On page 5, line 17, after the period insert "The Director of Regulation and Licensure shall annually, on or before January 1, submit a report to the Legislature which includes a general accounting of the income and expenditures of the fund.".

LEGISLATIVE BILL 997. Indefinitely postponed.
LEGISLATIVE BILL 1020. Indefinitely postponed.

The Transportation and Telecommunications Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

State Highway Commission
Duane Acklie
Jerome Fagerland

John Kingsbury
Greg Wolford

VOTE: Aye: Senators Bromm, Byars, Jones, Hudkins, Baker, Dw. Pedersen, Robak, and Thompson. Nay: None. Absent: None.

(Signed) Curt Bromm, Chairperson

NOTICE OF COMMITTEE HEARING
Business and Labor

LB 953	Monday, February 7, 2000	1:30 p.m.
LB 1310	Monday, February 7, 2000	1:30 p.m.
LB 1311	Monday, February 7, 2000	1:30 p.m.
LB 1424	Monday, February 7, 2000	1:30 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 900A. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 92A, section 1; and Laws 1999, LB 880, sections 120, 121, 167 to 175, and 262; to appropriate funds to aid in carrying out the provisions of Legislative Bill 900, Ninety-sixth Legislature, Second Session, 2000; to change appropriations as prescribed; to provide for transfers; to provide an operative date; to repeal the original sections; and to declare an emergency.

PRESENTED TO THE GOVERNOR

Presented to the Governor on January 28, 2000, at 9:55 a.m., were the following: LBs 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, and 894.

(Signed) Diana Bridges
Clerk of the Legislature's Office

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers moved to bracket until March 25, 2000.

Senators Beutler and Brashear asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers motion to bracket failed with 3 ayes, 7 nays, 21 present and not voting, and 18 excused and not voting.

Senator D. Pederson asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

AMENDMENTS - Print in Journal

Senator Matzke filed the following amendments to LB 662:

(1)

AM2184

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 74-308, Reissue Revised Statutes of Nebraska, is amended to read:

74-308. Any railroad may purchase and use real estate for a price to be agreed upon with the owners thereof. If a railroad and a real property owner cannot agree to a purchase price, the railroad ~~and~~ may acquire the same through the exercise of the power of eminent domain if the exercise of eminent domain is a public use consistent with public necessity. The procedure to condemn property shall be exercised in the manner set forth in sections 76-704 to 76-724, subject to sections 2 to 5 of this act.

Sec. 2. The railroad has the burden of proving by a preponderance of the evidence that the exercise of the right of eminent domain is a public use consistent with public necessity. A railroad's exercise of the right of eminent domain is a public use consistent with public necessity only if the use of eminent domain:

(1) Has as its purpose providing railroad transportation to shippers in Nebraska for commodities produced, manufactured, mined, grown, or substantially used or consumed in Nebraska;

(2) Is proposed by an applicant with financial resources necessary to complete the proposed construction or reconstruction along with any related facilities, construction, or mitigation which is necessary to protect against harm to the public safety, convenience, or other adverse socioeconomic or environmental impact, as evidenced by a financing commitment from a lender or an investor or combination of each with adequate capitalization and resources to fulfill its commitment to build and complete the project;

(3) Is proposed by an applicant who has negotiated in good faith to privately acquire sufficient property without the use of eminent domain;

(4) Is proposed by an applicant who has filed an application with a plat, as required by the Nebraska Natural Resources Commission, and that application sets forth the public use consistent with public necessity and the route of the railroad to be constructed or reconstructed, identifies each affected landowner, and specifies the location along with construction methods and engineering specifications for all main lines, siding,

yards, bridges, crossings, safety devices, switches, signals, and maintenance facilities; and

(5) Provides that electric utilities, public utilities, telecommunications companies, and rural water systems have the right to the use of the right-of-way for the placement of underground facilities, without fee, subject to reasonable regulation as to location and placement.

Sec. 3. The Nebraska Natural Resources Commission shall evaluate the application and hold a public hearing in the area impacted by the proposed railroad project in order to determine whether the proposed exercise of eminent domain is a public use consistent with public necessity. Following the public hearing, the commission shall determine whether the proposed railroad project is a public use consistent with public necessity. If the commission determines the proposed railroad project is not a public use consistent with public necessity, the railroad may not use eminent domain to obtain real property. Either party may appeal the decision to the district court of the county where the real property in question is located.

Sec. 4. Under section 74-308, no surveys or soil or water examinations shall be made on any private land without the written approval of the landowner or before a finding that the proposed railroad project is a public use consistent with public necessity. Any land damaged by such surveys or examinations shall be restored to the same condition as prior to the survey or examination to the landowner's satisfaction, or the landowner shall receive just compensation but only if the landowner so chooses such remedy.

Sec. 5. A railroad proceeding under section 74-308 and sections 2 to 5 of this act shall pay all reasonable court costs and attorney's fees incurred by the owner of the property in the eminent domain action if the court finds either that the condemnor did not act in good faith in negotiating with the owner of the property or that the proposed railroad project was not found to be a public use consistent with public necessity.

Sec. 6. Original section 74-308, Reissue Revised Statutes of Nebraska, is repealed.".

(2)

AM2185

1. Insert the following section:

"Sec. 5. Any proposed new rail line shall be constructed in or adjacent to an existing railroad transportation corridor that services the same area whenever possible. Construction other than in an existing railroad transportation corridor shall demonstrate a minimum of disruption to property rights, existing structures, and the environment along the proposed new railroad transportation corridor.".

2. Renumber the remaining sections and correct internal

references accordingly.

(3)

AM2186

1. Insert the following section:

"Sec. 5. A railroad shall ensure that an environmental impact statement and license for any proposed new rail line have been approved by the federal Surface Transportation Board.".

2. Renumber the remaining sections and correct internal references accordingly.

(4)

AM2187

1. Insert the following section:

"Sec. 5. There is a rebuttable presumption that an easement for a railroad is sufficient to accomplish the intended use. A railroad claiming that a greater interest than an easement is necessary to accomplish the use shall show by clear and convincing evidence that the greater interest that is sought is necessary to accomplish the use.".

2. Renumber the remaining sections and correct internal references accordingly.

(5)

AM2188

1. Insert the following section:

"Sec. 5. Any property obtained under section 74-308 by eminent domain shall not include mineral rights. Eminent domain shall not be used to obtain construction materials such as gravel, dirt, or timber, which can be obtained through private negotiations. If such construction materials are included in the land obtained by eminent domain, the landowner shall be compensated for the materials at fair market value in addition to the compensation paid for the land.".

2. Renumber the remaining sections and correct internal references accordingly.

(6)

AM2189

1. Insert the following section:

"Sec. 5. If there is a partial taking of property under section 74-308, the measure of compensation is the greater of the value of the property rights taken or the amount by which the fair market value of the entire property immediately before the taking exceeds the fair market value of the remainder immediately after the taking and shall include a consideration of the change in cost and impact to the operation of the remaining property. The measure of compensation shall also take into consideration the reasonable cost of purchasing replacement property which is similar and is in close proximity to the property taken.". 2. Renumber the remaining sections and correct internal references accordingly.

(7)

AM2190

1. Insert the following section: "Sec. 5. Upon abandonment by the railroad of any railroad line built on property obtained through eminent domain, the property shall revert to the party from whom the property was obtained or such party's heirs or assigns.". 2. Renumber the remaining sections and correct internal references accordingly.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bill and resolution:

LB/LR	**Committee**
LB 1445	Joint committees - Transportation and Telecommunications and Revenue (rereferred)
LR 300	Natural Resources

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARINGS
Agriculture

LB 958	Tuesday, February 8, 2000	1:30 p.m.
LB 959	Tuesday, February 8, 2000	1:30 p.m.
LB 1222	Tuesday, February 8, 2000	1:30 p.m.
LB 1348	Tuesday, February 8, 2000	1:30 p.m.
LB 1382	Tuesday, February 15, 2000	1:30 p.m.
LB 1432	Tuesday, February 15, 2000	1:30 p.m.
LB 1071	Tuesday, February 15, 2000	1:30 p.m.
LB 1280	Tuesday, February 15, 2000	1:30 p.m.

(Signed) Merton L. Dierks, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 950, LB 1325, and LB 1414. No objections. So ordered.

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1410. No objections. So ordered.

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 993, LB 1243, LB 1335, and LB 1344. No objections. So ordered.

WITHDRAW - Cointroducers

Senator Dw. Pedersen withdrew his name as cointroducer to LB 1079.

Senator Schmitt withdrew his name as cointroducer to LB 1437.

VISITORS

Visitors to the Chamber were Alex Matzke and Sarah Waltz from Seward; Mattias and Anna Kroupa from Lincoln; Mary, Andrew, Ann Marie, and Doug Shinn from Dunning, and Mike and Brenda Shinn from Gibbon; and Marcie Ryan from Lincoln.

The Doctor of the Day was Dr. Jay Matzke from Seward.

MOTION - Adjournment

Senator Hilgert moved to adjourn. The motion prevailed with 15 ayes, 2 nays, 15 present and not voting, and 17 excused and not voting, and at 11:52 a.m., the Legislature adjourned until 9:00 a.m., Monday, January 31, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

SEVENTEENTH DAY - JANUARY 31, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

SEVENTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, January 31, 2000

PRAYER

The prayer was offered by Pastor Jimmy Shelbourne, First Presbyterian Church, Beatrice, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Crosby who was excused; and Senators Hartnett, Kiel, Kristensen, Landis, Matzke, D. Pederson, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

UNANIMOUS CONSENT - Member Excused

Senator Wickersham asked unanimous consent to be excused until he returns. No objections. So ordered.

ANNOUNCEMENTS

Senator Matzke designates LB 936 as his priority bill.

Senator Beutler designates LB 414 as his priority bill.

MOTION - Approve Appointments

Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointments found on page 473: Nebraska Arts Council - R. Paul Sjulin; State Electrical Board - James Dietz and Riley George.

Voting in the affirmative, 33:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Coordsen Dickey Dierks Engel Hilgert
Hudkins Janssen Jensen Jones Kremer
Lynch Matzke Pedersen, Dw. Price Quandahl
Redfield Schimek Schrock Smith Stuhr
Tyson Vrtiska Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 7:

Connealy Cudaback Preister Raikes Schmitt
Suttle Thompson

Excused and not voting, 8:

Crosby Hartnett Kiel Kristensen Landis
Pederson, D. Robak Wickersham

The appointments were confirmed with 33 ayes, 1 nay, 7 present and not voting, and 8 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 175. The second Standing Committee amendment, FA275, found on page 486, was renewed.

Senator Chambers moved to bracket LB 175 until March 25, 2000.

Senators Brashear, Bruning, and Beutler asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers motion to bracket failed with 0 ayes, 16 nays, 25 present and not voting, and 8 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Government, Military and Veterans Affairs

LEGISLATIVE BILL 934. Placed on General File.
LEGISLATIVE BILL 1143. Placed on General File.

LEGISLATIVE BILL 628. Placed on General File as amended.

Standing Committee amendment to LB 628:
AM2142

1. Strike the original sections and insert the following new sections:

"Section 1. Section 84-712, Reissue Revised Statutes of Nebraska, is amended to read:

84-712. Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in section 84-712.01, are hereby fully empowered and authorized to examine the same, and to make memoranda, copies using their own copying or photographing equipment, and abstracts therefrom, all free of charge, and, except if federal copyright law otherwise provides, to obtain copies of public records at actual cost from those custodians who have copying equipment available, during the hours the respective offices may be kept open for the ordinary transaction of business.

Sec. 2. Section 84-712.01, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.01. (1) Except when any other statute expressly provides that particular information or records shall not be made public, public records shall include all records and documents, regardless of physical form, of or belonging to this state, any county, city, village, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form shall remain a public record when maintained in computer files.

(2) All citizens of this state and all other persons interested in the examination of public records may obtain copies in any form in which the public records are maintained or, as to electronically maintained records, in any physical form and format in which such records can be reproduced, including printouts, electronic data, discs, tapes, and photocopies, from the custodian of the public record. Except as otherwise expressly provided by statute, the custodian of a public record may charge a fee for providing copies of the public record limited to the actual cost of making the copies. For photocopies, the fee shall not exceed the amount of the reasonably calculated actual cost of the photocopies. For printouts of computerized data on paper, the fee shall not exceed the reasonably calculated actual cost of computer run time and the cost of the materials for making the copy. For electronic data, the fee shall not exceed the reasonably calculated actual cost or (a) the computer run time, (b) any necessary analysis and programming, and (c) the production of the report in the form furnished to the requester. State agencies which provide electronic access to public records through a gateway service shall obtain approval of their proposed reasonable fees or such records pursuant to sections 84-1205.02 and 84-1205.03, if applicable, and

the cost may include the approved fee for the gateway service. This subsection shall not be construed to require a governmental entity or any custodian of public records to acquire additional computer capability, equipment, software, or new technically trained employees in order to generate or format any public record in a new form or in a format modified from that in which such records are stored or maintained.

(3) Upon receipt of a request for access to or copies of a public record, the custodian of the public record to whom the request is directed shall (a) provide access to and, if copying equipment is reasonably available, copies of the public record, or (b) if there is a legal basis for denial of access and copies, provide a written denial of the request together with the information specified in section 84-712.04 as soon as is practicable and without delay, but not more than three business days after actual receipt of the request. If the entire request for copies of public records cannot with reasonable good faith efforts be fulfilled within three business days after actual receipt of the request due to the exceptional difficulty or the extensiveness of the request, the custodian shall within that time period provide the requester a written explanation, including the earliest practicable date for furnishing the copies, an estimate of the expected cost, and an opportunity for the requester to modify or prioritize the request.

(4) When a custodian of a public record of a county which has a population of one hundred thousand inhabitants or more as determined by the most recent federal decennial census provides to a member of the public, upon request, a copy of the public record by transmitting it from a modem to an outside modem, a reasonable fee may be charged for such specialized service. Such fee may include a reasonable amount representing a portion of the amortization of the cost of computer equipment, including software, necessarily added in order to provide such specialized service. This subsection shall not be construed to require a governmental entity to acquire computer capability to generate public records in a new or different form when that new form would require additional computer equipment or software not already possessed by the governmental entity.

~~(3)~~ (5) Sections 84-712 to 84-712.03 shall be liberally construed whenever any state, county, or political subdivision fiscal records, audit, warrant, voucher, invoice, purchase order, requisition, payroll, check, receipt, or other record of receipt, cash, or expenditure involving public funds is involved in order that the citizens of this state shall have the full right to know of and have full access to information on the public finances of the government and the public bodies and entities created to serve them.

Sec. 3. Original sections 84-712 and 84-712.01, Reissue Revised Statutes of Nebraska, are repealed.".

LEGISLATIVE BILL 1128. Placed on General File as amended.
Standing Committee amendment to LB 1128:
AM2067

1. Strike original sections 13 and 15 and insert the following new sections:

"Sec. 18. Section 14-1806, Revised Statutes Supplement, 1998, is amended to read:

14-1806. The authority shall have the continuing power to borrow money for the purpose of acquiring any transportation system and necessary cash working funds, or for reconstructing, extending, or improving its transportation system or any part thereof, and for acquiring any property and equipment useful for the reconstruction, extension, improvement, and operation of its transportation system or any part thereof. For the purpose of evidencing the obligation of the authority to repay any money borrowed as aforesaid, the authority may pursuant to resolution adopted by the board from time to time issue and dispose of its interest-bearing revenue bonds or certificates. It may also from time to time issue and dispose of its interest-bearing revenue bonds or certificates to refund any bonds or certificates at maturity, or pursuant to redemption provisions, or at any time before maturity with the consent of the holders thereof. All such bonds and certificates shall be payable solely from the revenue or income to be derived from the transportation system, from such tax receipts as may be herein authorized, and from such grants and loans as may be received. Such bonds and certificates may bear such date or dates, may mature at such time or times as may be fixed by the board, may bear interest at such rate or rates as may be fixed by the board, payable semiannually, may be in such form, may carry such registration privileges, may be executed in such manner, may be payable at such place or places, may be made subject to redemption in such manner and upon such terms with or without premium as is stated on the face thereof, may be authenticated in such manner, and may contain such terms and covenants as may be provided in such resolution. ~~The bonds may be registered in the manner prescribed by sections 10-201 to 10-209.~~ Notwithstanding the form or tenor thereof and in the absence of an express recital on the face thereof that they are nonnegotiable, all such bonds and certificates shall be negotiable instruments. Pending the preparation and execution of any such bonds or certificates, temporary bonds or certificates may be issued with or without interest coupons as may be provided by resolution of the board. To secure the payment of any or all of such bonds or certificates, and for the purpose of setting forth the covenants and undertakings of the authority in connection with the issuance thereof, and the issuance of any additional bonds or certificates, as well as the use and application of the revenue or income to be derived from the transportation system, and from such tax receipts as may be herein authorized, and from any grants or loans, as provided in the

Transit Authority Law, the authority may execute and deliver a trust agreement or agreements. No lien upon any physical property of the authority shall be created by such trust agreement or agreements. A remedy for any breach or default of the terms of any such trust agreement by the authority may be by mandamus or other appropriate proceedings in any court of competent jurisdiction to compel performance and compliance therewith. The trust agreement may prescribe by whom or on whose behalf such action may be instituted.

Sec. 20. Section 18-1805, Reissue Revised Statutes of Nebraska, is amended to read:

18-1805. The provisions of sections 18-1803 to 18-1805 shall not in any way govern, impair, or restrict the issuance of revenue bonds authorized by the municipality prior to October 23, 1967.

The provisions of sections 18-1803 to 18-1805 shall be independent of and in addition to any other provisions of the laws of the State of Nebraska or provisions of home rule charters, and revenue bonds may be issued under the provisions of sections 18-1803 to 18-1805 for any purpose authorized in such sections even though other provisions of the laws of the State of Nebraska or provisions of home rule charters may provide for the issuance of revenue bonds for the same or similar purposes. The provisions of sections 18-1803 to 18-1805 shall not be considered amendatory of or limited by any other provisions of the laws of the State of Nebraska or provisions of home rule charters, and revenue bonds may be issued under the provisions of sections 18-1803 to 18-1805 without complying with the restrictions or requirements of any other provisions of the laws of the State of Nebraska, except the provisions of ~~sections 10-201 and~~ section 10-201.01 and when specifically required by sections 18-1803 to 18-1805, or without complying with the restrictions or requirements of home rule charters. Nothing in sections 18-1803 to 18-1805 shall prohibit or limit the issuance of revenue bonds in accordance with the provisions of other applicable laws of the State of Nebraska or of home rule charters if the governing body shall determine to issue such revenue bonds under such other laws or charter~~,~~ or otherwise limit the provisions of any home rule charter.

Sec. 37. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 9, strike beginning with "No" in line 19 through line 21 and show as stricken.

3. On page 10, strike beginning with "as" in line 26 through "10-201" in line 27 and show as stricken.

4. On page 29, line 9, strike "10-201 to 10-202" and insert "10-201.01" and after "17-968" insert "18-1805,"; in line 12 strike "section" and insert "sections 14-1806 and"; and in line 15 after "10-121," insert "10-201, 10-202,".

5. Renumber the remaining sections accordingly.

(Signed) DiAnna R. Schimek, Chairperson

General Affairs

LEGISLATIVE BILL 977. Placed on General File.

(Signed) Ray Janssen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers moved to reconsider the vote on his motion to bracket until March 25, 2000, found in this day's Journal.

Senators Engel, Dierks, and Schimek asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers motion to reconsider failed with 1 aye, 14 nays, 23 present and not voting, and 11 excused and not voting.

Pending.

UNANIMOUS CONSENT - Members Excused

Senators Wehrbein, Matzke, and Smith asked unanimous consent to be excused until they return. No objections. So ordered.

NOTICE OF COMMITTEE HEARINGS

Natural Resources

LB 1327	Thursday, February 10, 2000	1:30 p.m.
LB 1343	Thursday, February 10, 2000	1:30 p.m.
LB 1394	Thursday, February 10, 2000	1:30 p.m.

Friday, February 11, 2000 1:30 p.m.
Nebraska Ethanol Board
Lee Grove

LB 1381	Thursday, February 17, 2000	1:30 p.m.
LB 1393	Thursday, February 17, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Health and Human Services

LB 735	Thursday, February 10, 2000 (rehearing)	1:30 p.m.
LB 914	Thursday, February 10, 2000	1:30 p.m.
LB 1139	Thursday, February 10, 2000	1:30 p.m.
LB 1231	Thursday, February 10, 2000	1:30 p.m.

LB 1274	Thursday, February 10, 2000	1:30 p.m.
LB 1407	Thursday, February 10, 2000	1:30 p.m.

LB 1033	Friday, February 11, 2000	1:30 p.m.
LB 1164	Friday, February 11, 2000	1:30 p.m.
LB 1167	Friday, February 11, 2000	1:30 p.m.
LB 1194	Friday, February 11, 2000	1:30 p.m.
LB 1352	Friday, February 11, 2000	1:30 p.m.
LB 1392	Friday, February 11, 2000	1:30 p.m.

LB 1210	Wednesday, February 16, 2000	1:30 p.m.
LB 1225	Wednesday, February 16, 2000	1:30 p.m.
LB 1264	Wednesday, February 16, 2000	1:30 p.m.
LB 1300	Wednesday, February 16, 2000	1:30 p.m.
LB 1408	Wednesday, February 16, 2000	1:30 p.m.

LB 1101	Thursday, February 17, 2000	1:30 p.m.
LB 1321	Thursday, February 17, 2000	1:30 p.m.
LB 1388	Thursday, February 17, 2000	1:30 p.m.

LB 1211	Wednesday, February 23, 2000	1:30 p.m.
LB 1212	Wednesday, February 23, 2000	1:30 p.m.
LB 1261	Wednesday, February 23, 2000	1:30 p.m.
LB 1298	Wednesday, February 23, 2000	1:30 p.m.
LB 1366	Wednesday, February 23, 2000	1:30 p.m.

(Signed) Jim Jensen, Chairperson

Education

LB 1226	Monday, February 7, 2000	2:30 p.m.
LB 1227	Monday, February 7, 2000	2:30 p.m.
LB 1228	Monday, February 7, 2000	2:30 p.m.
LB 1336	Monday, February 7, 2000	2:30 p.m.
LB 1364	Monday, February 7, 2000	2:30 p.m.

LB 1058	Tuesday, February 8, 2000	1:30 p.m.
LB 1107	Tuesday, February 8, 2000	1:30 p.m.
LB 1169	Tuesday, February 8, 2000	1:30 p.m.
LB 1278	Tuesday, February 8, 2000	1:30 p.m.
LB 1324	Tuesday, February 8, 2000	1:30 p.m.
LB 1436	Tuesday, February 8, 2000	1:30 p.m.

LB 909	Monday, February 14, 2000	1:30 p.m.
LB 1243	Monday, February 14, 2000	1:30 p.m.
LB 1334	Monday, February 14, 2000	1:30 p.m.
LB 1335	Monday, February 14, 2000	1:30 p.m.
LB 1406	Monday, February 14, 2000	1:30 p.m.

LB 1245	Tuesday, February 15, 2000	1:30 p.m.
LB 1246	Tuesday, February 15, 2000	1:30 p.m.
LB 1290	Tuesday, February 15, 2000	1:30 p.m.
LB 1329	Tuesday, February 15, 2000	1:30 p.m.
LB 1379	Tuesday, February 15, 2000	1:30 p.m.
LB 1433	Tuesday, February 15, 2000	1:30 p.m.
LB 1236	Tuesday, February 22, 2000	1:30 p.m.
LB 1385	Tuesday, February 22, 2000	1:30 p.m.
LB 1401	Tuesday, February 22, 2000	1:30 p.m.
LB 1403	Tuesday, February 22, 2000	1:30 p.m.
LB 1441	Tuesday, February 22, 2000	1:30 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers offered the following amendment to the second Standing Committee amendment:
FA279
P. 3, lines 5 & 14 strike "five" and insert "one"

SENATOR CUDABACK PRESIDING

The Chambers amendment lost with 0 ayes, 8 nays, 28 present and not voting, and 13 excused and not voting.

Senator Chambers moved to reconsider the vote on the Chambers amendment, FA279.

Senators Suttle and Janssen asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 10 ayes, 0 nays, and 39 not voting.

The Chambers motion to reconsider failed with 1 aye, 29 nays, 7 present and not voting, and 12 excused and not voting.

Pending.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARINGS
Banking, Commerce and Insurance

LB 1197	Monday, February 7, 2000	1:30 p.m.
LB 1248	Monday, February 7, 2000	1:30 p.m.
LB 1271	Monday, February 7, 2000	1:30 p.m.
LB 1341	Monday, February 7, 2000	1:30 p.m.

LB 1156	Tuesday, February 8, 2000	1:30 p.m.
LB 1176	Tuesday, February 8, 2000	1:30 p.m.
LB 1207	Tuesday, February 8, 2000	1:30 p.m.
LB 1402	Tuesday, February 8, 2000	1:30 p.m.
LB 1416	Tuesday, February 8, 2000	1:30 p.m.
LB 1060	Monday, February 14, 2000	1:30 p.m.
LB 1177	Monday, February 14, 2000	1:30 p.m.
LB 1389	Monday, February 14, 2000	1:30 p.m.
LB 1437	Monday, February 14, 2000	1:30 p.m.
LB 1078	Tuesday, February 15, 2000	1:30 p.m.
LB 1250	Tuesday, February 15, 2000	1:30 p.m.
LB 1253	Tuesday, February 15, 2000	1:30 p.m.
LB 1267	Tuesday, February 15, 2000	1:30 p.m.
LB 1318	Tuesday, February 22, 2000	1:30 p.m.
LB 1387	Tuesday, February 22, 2000	1:30 p.m.
LB 1440	Tuesday, February 22, 2000	1:30 p.m.
LB 1442	Tuesday, February 22, 2000	1:30 p.m.

(Signed) David M. Landis, Chairperson

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers offered the following amendment to the second Standing Committee amendment:
FA280
Page 3, lines 5 & 14 strike "five" and insert "two"

Senator Beutler asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers amendment lost with 0 ayes, 3 nays, 34 present and not voting, and 12 excused and not voting.

Senators Byars, Stuhr, and Dw. Pedersen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers moved to reconsider the vote on the Chambers amendment, FA280.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers motion to reconsider failed with 0 ayes, 3 nays, 31 present and not voting, and 15 excused and not voting.

Pending.

ANNOUNCEMENTS

Senator Bourne designates LB 1125 as his priority bill.

Senator Kiel designates LB 155 as her priority bill.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 948. Placed on General File.

LEGISLATIVE BILL 924. Indefinitely postponed.
LEGISLATIVE BILL 962. Indefinitely postponed.
LEGISLATIVE BILL 1082. Indefinitely postponed.
LEGISLATIVE BILL 1099. Indefinitely postponed.
LEGISLATIVE BILL 1109. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

NOTICE OF COMMITTEE HEARINGS
Natural Resources

LR 300	Wednesday, February 16, 2000	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Revenue/Transportation and Telecommunications

LB 1445	Monday, February 28, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson
(Signed) Curt Bromm, Chairperson

Revenue

LR 299	Wednesday, February 23, 2000	2:30 p.m.
LB 919	Wednesday, February 23, 2000	2:30 p.m.
LB 1372	Wednesday, February 23, 2000	2:30 p.m.
LB 1307	Wednesday, February 23, 2000	2:30 p.m.
LB 1438	Wednesday, February 23, 2000	2:30 p.m.
LB 1173	Wednesday, February 23, 2000	2:30 p.m.
LB 1254	Thursday, February 24, 2000	1:30 p.m.
LB 1255	Thursday, February 24, 2000	1:30 p.m.
LB 1418	Thursday, February 24, 2000	1:30 p.m.
LB 1303	Thursday, February 24, 2000	1:30 p.m.
LB 1428	Thursday, February 24, 2000	1:30 p.m.
LB 1429	Thursday, February 24, 2000	1:30 p.m.

LB 1376	Thursday, February 24, 2000	1:30 p.m.
LB 946	Friday, February 25, 2000	2:30 p.m.
LB 1061	Friday, February 25, 2000	2:30 p.m.
LB 1063	Friday, February 25, 2000	2:30 p.m.
LB 1358	Friday, February 25, 2000	2:30 p.m.
LB 1316	Monday, February 28, 2000	1:30 p.m.
LB 1067	Monday, February 28, 2000	1:30 p.m.
LB 916	Monday, February 28, 2000	1:30 p.m.
LB 1041	Monday, February 28, 2000	1:30 p.m.
LB 1187	Monday, February 28, 2000	1:30 p.m.

(Signed) William R. Wickersham, Chairperson

WITHDRAW - Cointroducer

Senator Schmitt withdrew his name as cointroducer to LB 1394.

UNANIMOUS CONSENT - Add Cointroducers

Senator Tyson asked unanimous consent to have his name added as cointroducer to LB 1095. No objections. So ordered.

Senator Kremer asked unanimous consent to have his name added as cointroducer to LB 1174. No objections. So ordered.

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 1363. No objections. So ordered.

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 1422. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 1102. No objections. So ordered.

VISITORS

Visitors to the Chamber were 37 second grade students and teachers from Lakeview Elementary School, Lincoln.

ADJOURNMENT

At 11:55 a.m., on a motion by Senator Chambers, the Legislature adjourned until 9:00 a.m., Tuesday, February 1, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

EIGHTEENTH DAY - FEBRUARY 1, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

EIGHTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 1, 2000

PRAYER

The prayer was offered by Pastor Ray Larson, First Presbyterian Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Landis who was excused; and Senators Brown, Byars, Dierks, Kiel, Matzke, Robak, Schrock, Tyson, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventeenth day was approved.

UNANIMOUS CONSENT - Member Excused

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

STANDING COMMITTEE REPORTS
Agriculture

LEGISLATIVE BILL 957. Placed on General File.
LEGISLATIVE BILL 964. Placed on General File.

(Signed) Merton L. Dierks, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

MOTION - Approve Appointments

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on pages 488 and 489: State Highway Commission - Duane Acklie, Jerome Fagerland, John Kingsbury, and Greg Wolford.

Voting in the affirmative, 29:

Aguilar
Baker
Bourne
Bromm
Bruning
Crosby
Dickey
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Price
Quandahl
Redfield
Schmitt
Schrock
Smith
Thompson
Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 10:

Beutler
Bohlke
Connealy
Coordsen
Cudaback
Preister
Raikes
Stuhr
Suttle
Tyson

Excused and not voting, 9:

Brashear
Brown
Byars
Dierks
Kiel
Landis
Robak
Schimek
Wickersham

The appointments were confirmed with 29 ayes, 1 nay, 10 present and not voting, and 9 excused and not voting.

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 613. Placed on General File.
LEGISLATIVE BILL 690. Placed on General File.
LEGISLATIVE BILL 1081. Placed on General File.

LEGISLATIVE BILL 414. Placed on General File as amended.
(Standing Committee amendment, AM2008, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 998. Placed on General File as amended.
Standing Committee amendment to LB 998:
AM2179
1. On page 3, after line 6, insert the following:

"For purposes of this section, the definition of record in section 84-1202 shall apply.".

LEGISLATIVE BILL 39. Indefinitely postponed.
LEGISLATIVE BILL 70. Indefinitely postponed.
LEGISLATIVE BILL 75. Indefinitely postponed.
LEGISLATIVE BILL 159. Indefinitely postponed.
LEGISLATIVE BILL 219. Indefinitely postponed.
LEGISLATIVE BILL 374. Indefinitely postponed.
LEGISLATIVE BILL 391. Indefinitely postponed.
LEGISLATIVE BILL 399. Indefinitely postponed.
LEGISLATIVE BILL 466. Indefinitely postponed.
LEGISLATIVE BILL 627. Indefinitely postponed.
LEGISLATIVE BILL 908. Indefinitely postponed.

The Judiciary Committee desires to report favorable upon the proposal listed below. The Committee suggests the proposal be confirmed by the Legislature and suggests a record vote.

A proposal to designate the Nebraska State Treasurer's Office as the vendor to operate the State Disbursement Unit for receiving and disbursing child support payments, as provided in LB 637 from 1999.

VOTE: Aye: Senators Baker, Bourne, Brashear, Chambers, Connealy, Hilgert, Dw. Pedersen, and Robak. Nay: None. Absent: None.

(Signed) Kermit A. Brashear, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 482A. Introduced by Matzke, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 482, Ninety-sixth Legislature, Second Session, 2000.

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers offered the following amendment to the second Standing Committee amendment:
FA281
Page 3, lines 5 & 14 strike "five" and insert "three"

Senator Janssen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers withdrew his amendment.

Senator Chambers moved to bracket LB 175 until March 31, 2000.

Senators Bruning, Beutler, and Jones asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers offered the following amendment to his pending motion to bracket:
FA282
Amend Bracket Motion
Change date to April 1, 2000

Pending.

ANNOUNCEMENTS

Senator Bohlke designates LB 1436 as her priority bill.

Senator Suttle designates LB 1399 as her priority bill.

AMENDMENT - Print in Journal

Senator Schimek filed the following amendment to LB 480A:
AM2227

(Amendments to Final Reading copy)

1. On page 2, lines 11 and 12, after "Fund" insert "and $10,000 from the Women's Health Initiative Fund".

STANDING COMMITTEE REPORT
Education

LEGISLATIVE BILL 1328. Placed on General File.

(Signed) Ardyce L. Bohlke, Chairperson

GENERAL FILE

LEGISLATIVE BILL 175. The Chambers pending amendment, FA282, found in this day's Journal, to the pending motion to bracket, was renewed.

The Chambers amendment lost with 6 ayes, 13 nays, 22 present and not voting, and 8 excused and not voting.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers pending motion to bracket until March 31, 2000, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with

6 ayes, 1 nay, and 42 not voting.

Senator Hilgert requested a record vote on the motion to bracket.

Voting in the affirmative, 6:

Kiel Lynch Raikes Robak Schimek
Thompson

Voting in the negative, 28:

Aguilar Baker Bromm Brown Crosby
Cudaback Dickey Engel Hartnett Hilgert
Hudkins Jensen Kremer Kristensen Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Redfield Schrock Smith Stuhr Tyson
Vrtiska Wehrbein Wickersham

Present and not voting, 7:

Bohlke Bourne Chambers Connealy Coordsen
Schmitt Suttle

Excused and not voting, 8:

Beutler Brashear Bruning Byars Dierks
Janssen Jones Landis

The Chambers motion to bracket failed with 6 ayes, 28 nays, 7 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers moved to reconsider the vote on the Chambers motion to bracket LB 175 until March 31, 2000.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

The Chambers motion to reconsider failed with 1 aye, 8 nays, 31 present and not voting, and 9 excused and not voting.

Senator Chambers offered the following amendment to the second Standing Committee amendment:
FA283
Page 3, lines 5 & 14, strike new matter and reinstate stricken matter.

Senators Hartnett and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 10 ayes, 2 nays, and 37 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 2:

Connealy	Suttle

Voting in the negative, 27:

Aguilar	Baker	Brown	Bruning	Coordsen
Crosby	Engel	Hilgert	Hudkins	Janssen
Jensen	Jones	Kremer	Kristensen	Lynch
Matzke	Pedersen, Dw.	Pederson, D.	Preister	Price
Quandahl	Redfield	Schrock	Smith	Stuhr
Tyson	Wehrbein			

Present and not voting, 15:

Bohlke	Bourne	Bromm	Byars	Chambers
Cudaback	Dickey	Dierks	Raikes	Robak
Schimek	Schmitt	Thompson	Vrtiska	Wickersham

Excused and not voting, 5:

Beutler	Brashear	Hartnett	Kiel	Landis

The Chambers amendment lost with 2 ayes, 27 nays, 15 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

STANDING COMMITTEE REPORTS
Government, Military and Veterans Affairs

LEGISLATIVE BILL 193. Indefinitely postponed.
LEGISLATIVE BILL 206. Indefinitely postponed.
LEGISLATIVE BILL 233. Indefinitely postponed.
LEGISLATIVE BILL 349. Indefinitely postponed.
LEGISLATIVE BILL 430. Indefinitely postponed.
LEGISLATIVE BILL 718. Indefinitely postponed.
LEGISLATIVE BILL 728. Indefinitely postponed.
LEGISLATIVE BILL 847. Indefinitely postponed.
LEGISLATIVE BILL 933. Indefinitely postponed.
LEGISLATIVE BILL 1106. Indefinitely postponed.

LEGISLATIVE RESOLUTION 8CA. Indefinitely postponed.

(Signed) DiAnna R. Schimek, Chairperson

Natural Resources

LEGISLATIVE BILL 1069. Placed on General File.

(Signed) Edward J. Schrock, Chairperson

ANNOUNCEMENTS

Senator Vrtiska designates LB 1222 as his priority bill.

Senator Byars designates LB 950 as his priority bill.

NOTICE OF COMMITTEE HEARINGS
Government, Military and Veterans Affairs

Wednesday, February 9, 2000 1:30 p.m.
State Emergency Response Commission
Mark Reimers

LB 1292	Wednesday, February 9, 2000	1:30 p.m.
LB 1191	Wednesday, February 9, 2000	1:30 p.m.
LB 1145	Wednesday, February 9, 2000	1:30 p.m.
LB 1252	Wednesday, February 9, 2000	1:30 p.m.

Friday, February 11, 2000 1:30 p.m.
State Personnel Board
Samuel F. Seever

LB 1179	Friday, February 11, 2000	1:30 p.m.
LR 287CA	Friday, February 11, 2000	1:30 p.m.
LR 298	Friday, February 11, 2000	1:30 p.m.
LB 1415	Friday, February 11, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

Revenue

LB 1114	Tuesday, February 29, 2000	1:30 p.m.
LB 1230	Tuesday, February 29, 2000	1:30 p.m.
LB 1180	Tuesday, February 29, 2000	1:30 p.m.
LB 1193	Tuesday, February 29, 2000	1:30 p.m.
LB 1374	Tuesday, February 29, 2000	1:30 p.m.
LB 1444	Tuesday, February 29, 2000	1:30 p.m.

LB 1024 Tuesday, February 29, 2000 1:30 p.m.

(Signed) William R. Wickersham, Chairperson

GENERAL FILE

LEGISLATIVE BILL 175. Senator Chambers moved to reconsider the vote on the Chambers amendment, FA283.

Senator Hilgert moved to invoke cloture on LB 175, pursuant to Rule 7, Section 10.

Senator Hilgert moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

Senator Hilgert requested a roll call vote on his motion to invoke cloture.

Voting in the affirmative, 39:

Aguilar
Baker
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Redfield
Robak
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 5:

Bohlke
Bourne
Bromm
Chambers
Schimek

Present and not voting, 1:

Raikes

Excused and not voting, 4:

Beutler
Brashear
Kiel
Landis

The Hilgert motion to invoke cloture prevailed with 39 ayes, 5 nays, 1 present and not voting, and 4 excused and not voting.

Senator Chambers requested a roll call vote on his motion to reconsider the vote on the Chambers amendment, FA283.

Voting in the affirmative, 2:

Chambers
Connealy

Voting in the negative, 38:

Aguilar Baker Bohlke Bourne Bromm
Brown Bruning Byars Coordsen Crosby
Cudaback Dickey Dierks Engel Hilgert
Hudkins Janssen Jensen Jones Kremer
Kristensen Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schrock Smith Stuhr Thompson Tyson
Vrtiska Wehrbein Wickersham

Present and not voting, 5:

Hartnett Robak Schimek Schmitt Suttle

Excused and not voting, 4:

Beutler Brashear Kiel Landis

The Chambers motion to reconsider failed with 2 ayes, 38 nays, 5 present and not voting, and 4 excused and not voting.

The second Standing Committee amendment, FA275, is found on page 486.

The third Standing Committee amendment is as follows:
FA276
4. On page 7, line 1, strike "20-131.04,".
5. Renumber the remaining sections accordingly.

The balance of the Standing Committee amendment, FA275 and FA276, was adopted with 40 ayes, 3 nays, 2 present and not voting, and 4 excused and not voting. (The Standing Committee amendment, AM0648, was adopted in its entirety.)

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Aguilar Baker Bromm Brown Bruning
Byars Crosby Cudaback Hartnett Hilgert
Hudkins Janssen Jensen Jones Kremer
Kristensen Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schrock Smith Stuhr Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 11:

Bohlke Bourne Chambers Connealy Coordsen
Dickey Dierks Robak Schimek Suttle
Thompson

Present and not voting, 2:

Engel	Schmitt

Excused and not voting, 4:

Beutler	Brashear	Kiel	Landis

Advanced to E & R for review with 32 ayes, 11 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

REPORTS

The following reports were received by the Legislature:

Economic Development, Department of
Partnerships for Economic Development Act 1999 Annual Report

Health and Human Services System
Disabled Persons and Family Support Program Annual Report
Finance and Support Report on number of adults declared ineligible for cash assistance under section 68-1723

Labor, Department of
State Labor Area Summaries for December 1999
Strategic Five-Year State Workforce Investment Plan for Title 1 of the Workforce Investment Act of 1998 and the Wagner-Peyser Act

NOTICE OF COMMITTEE HEARINGS
Urban Affairs

LB 1183	Tuesday, February 8, 2000	1:30 p.m.
LB 1301	Tuesday, February 8, 2000	1:30 p.m.
LB 1315	Tuesday, February 8, 2000	1:30 p.m.
LB 1320	Tuesday, February 8, 2000	1:30 p.m.
LB 1367	Tuesday, February 8, 2000	1:30 p.m.
LB 1378	Tuesday, February 8, 2000	1:30 p.m.
LB 1098	Tuesday, February 15, 2000	1:30 p.m.
LB 1235	Tuesday, February 15, 2000	1:30 p.m.
LB 1306	Tuesday, February 15, 2000	1:30 p.m.
LB 1313	Tuesday, February 15, 2000	1:30 p.m.

(Signed) D. Paul Hartnett, Chairperson

ANNOUNCEMENTS

Senator Hartnett designates LB 1405 as his priority bill.

Senator Stuhr designates LB 812 as her priority bill.

UNANIMOUS CONSENT - Add Cointroducer

Senator Robak asked unanimous consent to have her name added as cointroducer to LB 1405. No objections. So ordered.

AMENDMENT - Print in Journal

Senator Hilgert filed the following amendment to LB 175:
AM2204

(Amendments to FA276)

1. Strike amendments 4 and 5 and insert the following new amendments:

"1. Strike original section 6.

2. On page 5, line 7, strike the new matter and reinstate the stricken matter.

3. On page 6, line 6, strike 'five' and insert 'three'; and in line 7 after 'issuance' insert 'and service'.

4. On page 7, line 2, strike '76-1446, and 76-1483' and insert 'and 76-1446'.

5. Renumber the remaining section accordingly.".

VISITORS

Visitors to the Chamber were Senator Kristensen's mother, Mary Lou Kristensen, from Minden and 42 members of Delta Kappa Gamma from across the state; 17 students and teachers from Culler Middle School, Lincoln; and Kathy Tripp, Nancy Booth, Leann Quist, Rodney Thiemann, Kent Grisham, Wyman Nelson, and Tim Armstrong from Blair.

The Doctor of the Day was Dr. Denise Hooks-Anderson from Lincoln.

MOTION - Adjournment

Senator Smith moved to adjourn.

Senator Chambers requested a roll call vote on the motion to adjourn.

Voting in the affirmative, 37:

Aguilar	Baker	Bourne	Bromm	Bruning
Byars	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hartnett	Hilgert
Hudkins	Jensen	Jones	Kremer	Kristensen

Lynch Pederson, D. Preister Price Quandahl
Raikes Redfield Robak Schimek Schmitt
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 7:

Bohlke Brown Janssen Matzke Pedersen, Dw.
Schrock Wickersham

Excused and not voting, 4:

Beutler Brashear Kiel Landis

The Smith motion to adjourn prevailed with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting, and at 11:56 a.m., the Legislature adjourned until 9:00 a.m., Wednesday, February 2, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

NINETEENTH DAY - FEBRUARY 2, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 2, 2000

PRAYER

The prayer was offered by Pastor Robert Edwards, South Gate United Methodist Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Bohlke, Dierks, Hartnett, Kiel, Kristensen, Landis, Matzke, and D. Pederson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 511, line 7, strike "27" and insert "28".
The Journal for the eighteenth day was approved as corrected.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Thursday, February 10, 2000 — 1:30 p.m.
State Emergency Response Commission
Christine Bleich
Kim Herald
Steve Wood

LB 717 (AM2003)	Thursday, February 10, 2000 (rehearing)	1:30 p.m.
LB 1262	Thursday, February 10, 2000	1:30 p.m.
LB 1304	Thursday, February 10, 2000	1:30 p.m.

(Signed) DiAnna R. Schimek, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Bruning asked unanimous consent to be excused. No objections. So ordered.

MOTION – Approve Report

Senator Brashear moved the adoption of the report of the Judiciary Committee for the proposal to designate the Nebraska State Treasurer's Office as the vendor to operate the State Disbursement Unit for receiving and disbursing child support payments, as provided in LB 637 from 1999, found on page 509.

Voting in the affirmative, 34:

Aguilar	Baker	Bourne	Brashear	Bromm
Brown	Byars	Chambers	Connealy	Crosby
Dickey	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Landis
Pedersen, Dw.	Pederson, D.	Preister	Price	Redfield
Robak	Schmitt	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	

Voting in the negative, 0.

Present and not voting, 9:

Beutler	Coordsen	Cudaback	Lynch	Quandahl
Raikes	Schimek	Schrock	Wickersham	

Excused and not voting, 6:

Bohlke	Bruning	Dierks	Kiel	Kristensen
Matzke				

The report was approved with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 504. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 864. Title read. Considered.

Senator Dw. Pedersen requested to pass over LB 864.

LEGISLATIVE BILL 510. Title read. Considered.

Senator Redfield asked unanimous consent to be excused until she returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Pending.

MOTION - Print in Journal

Senator Schimek filed the following motion to LB 349:
Pursuant to Rule 3, Section 17, to refer LB 349 back to Government, Military and Veterans Affairs Committee.

STANDING COMMITTEE REPORT
General Affairs

The General Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Arts Council
Meredith Zutavern

VOTE: Aye: Senators Cudaback, Dickey, Hartnett, Janssen, Quandahl, Schrock, and Smith. Nay: None. Absent: Senator Connealy.

(Signed) Ray Janssen, Chairperson

NOTICE OF COMMITTEE HEARING
Revenue

Thursday, March 2, 2000 Tax Equalization and Review Commission Mark Reynolds		2:00 p.m.
LR 293CA	Thursday, March 2, 2000	2:00 p.m.
LB 1276	Thursday, March 2, 2000	2:00 p.m.
LB 1345	Thursday, March 2, 2000	2:00 p.m.

(Signed) William R. Wickersham, Chairperson

STANDING COMMITTEE REPORTS
General Affairs

LEGISLATIVE BILL 976. Placed on General File.
LEGISLATIVE BILL 982. Placed on General File.
LEGISLATIVE BILL 1086. Placed on General File.

LEGISLATIVE BILL 973. Placed on General File as amended.
Standing Committee amendment to LB 973:
AM2218

1. Strike section 1 and insert the following new section:

"Section 1. Section 53-192, Reissue Revised Statutes of Nebraska, is amended to read:

53-192. ~~No person or common carrier shall haul or transport alcoholic liquor, except beer, whether by boat, airplane, automobile, truck, wagon, or other conveyance, in or into this state, for sale, or for storage and sale in this state, upon which the required labeling or gauging fee, tax, duty, or license has not been paid.~~ A person or common carrier shall not haul or transport alcoholic liquor, whether by boat, airplane, automobile, truck, wagon, or other conveyance, in or into this state for personal use, for sale, or for storage and sale in this state unless the required labeling or gauging fee, tax, duty, or license has been paid, either in this state or the state where such alcoholic liquor was purchased.".

LEGISLATIVE BILL 975. Placed on General File as amended.
Standing Committee amendment to LB 975:
AM2093

1. On page 2, lines 11 and 12, strike the new matter and reinstate the stricken matter.

LEGISLATIVE BILL 1150. Placed on General File as amended.
Standing Committee amendment to LB 1150:
AM2243

1. On page 2, line 20, strike "fifteen" and insert "twenty".

LEGISLATIVE BILL 912. Indefinitely postponed.

(Signed) Ray Janssen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 510. Considered.

Senator Dw. Pedersen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Advanced to E & R for review with 33 ayes, 12 nays, 2 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARINGS
Business and Labor

LB 1312	Monday, February 14, 2000	1:30 p.m.
LB 1342	Monday, February 14, 2000	1:30 p.m.
LB 1363	Monday, February 14, 2000	1:30 p.m.
LB 1384	Monday, February 14, 2000	1:30 p.m.
LB 1443	Monday, February 14, 2000	1:30 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

Natural Resources

LB 1395	Wednesday, February 16, 2000 (cancel)	1:30 p.m.
LB 1395	Thursday, February 17, 2000 (reschedule)	1:30 p.m.
LB 1381	Thursday, February 17, 2000 (cancel)	1:30 p.m.
LB 1381	Wednesday, February 16, 2000 (reschedule)	1:30 p.m.

(Signed) Edward J. Schrock, Chairperson

Judiciary

Wednesday, February 9, 2000 1:30 p.m.
Board of Parole
Mike Gomez
Crime Victims Reparation Committee
William Brueggemann
Scot Ford

LB 994	Wednesday, February 9, 2000	1:30 p.m.
LB 1386	Wednesday, February 9, 2000	1:30 p.m.
LB 1133	Wednesday, February 9, 2000	1:30 p.m.
LB 1165	Thursday, February 10, 2000	1:30 p.m.
LB 1166	Thursday, February 10, 2000	1:30 p.m.
LB 1344	Thursday, February 10, 2000	1:30 p.m.
LB 1391	Thursday, February 10, 2000	1:30 p.m.
LB 1435	Thursday, February 10, 2000	1:30 p.m.
LB 1091	Friday, February 11, 2000	1:30 p.m.
LB 1142	Friday, February 11, 2000	1:30 p.m.
LB 1205	Friday, February 11, 2000	1:30 p.m.
LB 1229	Friday, February 11, 2000	1:30 p.m.
LB 1325	Friday, February 11, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1178. Placed on General File.
LEGISLATIVE BILL 1209. Placed on General File.

LEGISLATIVE BILL 1208. Placed on General File as amended.
Standing Committee amendment to LB 1208:
AM2207

1. On page 7, line 12, strike "2001" and insert "2000".

2. On page 8, line 18, strike "a" and insert "the"; and in line 20 strike "(2)(c)(ii)(B)" and insert "(2)(b)(ii)(B)".

3. Strike beginning with "Except" on page 19, line 26, through the period on page 20, line 4, and show the old matter as stricken.

(Signed) David M. Landis, Chairperson

Natural Resources

LEGISLATIVE BILL 904. Placed on General File as amended.
Standing Committee amendment to LB 904:
AM2236

1. On page 2, line 18, strike "areas" and insert "acres".

2. On page 3, line 8, after "designated" insert ". This subdivision may be implemented whenever the district determines the impact on surface water supplies or the depletion or contamination of the ground water supply in the management area or any portion of the management area cannot be protected through implementation of reasonable controls specified in subdivisions (1)(a) through (1)(j) of this section".

3. On page 6, line 21, strike "not" through the period, show as stricken, and insert an underscored period.

LEGISLATIVE BILL 992. Placed on General File as amended.
Standing Committee amendment to LB 992:
AM2245

1. On page 4, strike lines 6 through 11 and insert "shall be no more than twice the total of any other proceeds received by the Green Futures Trust Fund for the same year. Such grants, considered in the aggregate, shall in no case exceed fifty percent of the total proceeds credited to the Nebraska Environmental Trust Fund pursuant to section 9-812 for that year.".

LEGISLATIVE BILL 1112. Placed on General File as amended.
Standing Committee amendment to LB 1112:

AM2237

1. Strike sections 13 to 16 and insert the following new sections:

"Sec. 11. Section 46-1214.01, Reissue Revised Statutes of Nebraska, is amended to read:

46-1214.01. Water well monitoring supervisor shall mean any individual engaged solely in the measuring of ground water levels, the collection of ground water samples from existing water wells, or the inspection of installed water well equipment, pumping systems, or chemigation regulation devices. ~~The~~ ~~term~~ Water well monitoring supervisor shall not include: (1) An individual who constructs or decommissions a water well or installs or repairs pumps or pumping equipment or a water well; or (2) an individual who carries out the measurement, sampling, or inspection of a water well which is on land owned by him or her and used by him or her for farming, ranching, or agricultural purposes or as his or her place of abode.

Sec. 14. Section 46-1229, Reissue Revised Statutes of Nebraska, is amended to read:

46-1229. Each water well contractor or pump installation contractor desiring to engage in the construction of water wells, the decommissioning of water wells, or the installation of pumps and pumping equipment shall make initial application for a license to the department. Each such application shall include satisfactory evidence that the applicant is at least the age of majority and is of good moral character. The department shall charge an application fee set by the board pursuant to section 46-1224 for the filing of such application. The department shall not act upon any application until the application fee for such license has been paid. A license to engage in the construction of water wells, the decommissioning of water wells, or the installation of pumps and pumping equipment shall be issued to every applicant who demonstrates professional competence by successfully passing the examination prescribed in section 46-1223, pays the appropriate license fee, and otherwise complies with the Water Well Standards and Contractors' Licensing Act and all standards, rules, and regulations adopted and promulgated pursuant to such act. Applicants shall receive licenses for any category or combination of categories for which they have successfully passed the required examination. If the applicant is an individual, the application shall include the applicant's social security number.

Sec. 15. Section 46-1233, Reissue Revised Statutes of Nebraska, is amended to read:

46-1233. No water well shall be constructed, no ~~or~~ pump or pumping equipment shall be installed, and no water well shall be decommissioned by a person engaged in the construction or decommissioning of water wells or installation of pumps and pumping equipment unless the construction, decommissioning, or installation is carried out or supervised by a licensed water well contractor, water well drilling supervisor, pump installation contractor, or pump installation supervisor. For purposes of this section, supervision shall mean the ready availability of the person licensed or certified pursuant to the Water Well Standards and Contractors' Licensing Act for consultation and direction of the activities of any person not licensed or certified who assists in the construction of a water well, the decommissioning of a water well, or the installation of pump and pumping equipment. Contact with the licensed contractor or certified supervisor by telecommunication shall be sufficient to show ready availability.

Sec. 16. Section 46-1235, Reissue Revised Statutes of Nebraska, is amended to read:

46-1235. In cases other than those relating to failure to meet the requirements for an initial license or an initial certificate, the department may deny, refuse renewal of, suspend, or revoke licenses or certificates or may take other disciplinary action for any of the following acts or offenses:

(1) Practice of fraud or deceit in obtaining a license or certificate;

(2) Violation of the Water Well Standards and Contractors' Licensing Act or any standards, rules, or regulations adopted and promulgated pursuant to such act;

(3) Incompetence or gross negligence in the performance of any activity for which licenses or certificates are issued pursuant to the act;

(4) Conduct or practices detrimental to the health or safety of persons hiring the services of the licensee or certificate holder or of members of the general public;

(5) Practice of the trade fraudulently, beyond the authorized scope, or with manifest incapacity;

(6) Practice of the trade while the ability to practice is impaired by alcohol, controlled substances, narcotic drugs, or physical disability;

(7) Permitting, aiding, or abetting the practice of the trade or the performance of activities requiring a license or certificate by a person not licensed or certified to do so;

(8) Having had a license or certificate denied, refused renewal, limited, suspended, or revoked or having been disciplined in any other manner by another state or jurisdiction to practice water well construction, water well drilling, water well decommissioning, or pump installation based upon acts by the applicant, licensee, or certificate holder similar to acts described in this section. A certified copy of the record of denial, refusal of renewal, limitation, suspension, or revocation of a license or certificate or the taking of other disciplinary action by another state or jurisdiction shall be conclusive evidence;

(9) Unprofessional conduct as may be defined in rules and regulations of the board with approval of the department;

(10) Practice of the trade while the license or certificate to do so is suspended or practice of the trade in contravention of any limitation placed upon the license or certificate; or

(11) Failing to file the report required by section 46-604.

A licensee or certificate holder shall not engage in the practice of the trade after a license or certificate is revoked or during the time for which it is suspended. If a license or certificate is suspended, the suspension shall be for a definite period of time to be fixed by the Director of Regulation and Licensure, and such license or certificate shall be automatically reinstated upon the expiration of such period if the current renewal fee has been paid. If such license or certificate is revoked, such revocation shall be for one year.

Sec. 17. Section 46-1238, Reissue Revised Statutes of Nebraska, is amended to read:

46-1238. Any person who fails to employ or use at least one individual appropriately licensed or certified and available, in accordance with section 46-1233, or any person who engages, without a license or certificate for such activities, in the construction of water wells, the decommissioning of water wells, the installation of pumps and pumping equipment, or the measuring of ground water levels, the collection of ground water samples from existing water wells, or the inspection of installed water well equipment, pumping systems, or chemigation regulation devices, in addition to the other penalties provided in the Water Well Standards and Contractors' Licensing Act, may be enjoined from continuing such activities.

Sec. 18. Section 46-1239, Reissue Revised Statutes of Nebraska, is amended to read:

46-1239. Any person who fails to employ or use at least one individual appropriately licensed or certified and available, in accordance with section 46-1233, or any person who engages, without a license or certificate for such activities, in the construction of water wells, the decommissioning of water wells, or the installation of pumps and pumping equipment is guilty of a Class II misdemeanor or subject to a civil penalty of not more than one thousand dollars for each day the violation occurs.

Any civil penalty assessed and unpaid shall constitute a debt to the state which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the district court of the county in which the violator resides or owns property. An action to collect a civil penalty shall be brought within two years of the alleged violation providing the basis of the penalty, except that if the cause of action is not discovered and could not be reasonably discovered within the two-year period, the action may be commenced within two years after the date of discovery or after the date of discovery of facts which would reasonably lead to discovery, whichever is earlier. The department shall, within thirty days after receipt, remit the civil penalty to the State Treasurer for credit to the permanent school fund.

Sec. 19. Section 46-1240, Reissue Revised Statutes of Nebraska, is amended to read:

46-1240. Any person who engages in or any person who employs or uses a person who engages in the construction of water wells, the installation of pumps and pumping equipment, the decommissioning of water wells, or the measuring of ground water levels, the collection of ground water samples from existing water wells, or the inspection of installed water well equipment, pumping systems, or chemigation regulation devices or who fails to decommission or decommissions an illegal water well without complying with the standards adopted and promulgated pursuant to the Water Well Standards and Contractors' Licensing Act shall be guilty of a Class III misdemeanor or subject to a civil penalty of not more than five hundred dollars for each day an intentional violation occurs and may be enjoined from continuing such activity, including a mandatory injunction.

Any civil penalty assessed and unpaid shall constitute a debt to the state which may be collected in the manner of a lien foreclosure or sued for and recovered in a proper form of action in the name of the state in the district court of the county in which the violator resides or owns property. An action to collect a civil penalty shall be brought within two years of the alleged violation providing the basis of the penalty, except that if the cause of action is not discovered and could not be reasonably discovered within the two-year period, the action may be commenced within two years after the date of discovery or after the date of discovery of facts which would reasonably lead to discovery, whichever is earlier. The department shall, within thirty days after receipt, remit the civil penalty to the State Treasurer for credit to the permanent school fund.".

2. On page 4, line 18, strike "and"; and in line 21 after the last comma insert "and for well owners who have a permit issued pursuant to the Industrial Ground Water Regulatory Act and also hold an underground injection control permit issued by the Department of Environmental Quality,".

3. On page 6, lines 2, 4, and 6, strike "registered"; in lines 7, 14, 16, 20, and 21 strike "transfer" and insert "update"; and strike lines 23 through 25.

4. On page 26, line 9, after the fourth comma insert "46-1214.01,"; and in line 10 after the first comma insert "46-1235," and before "and" insert "46-1240,".

5. Renumber the remaining sections accordingly.

(Signed) Edward J. Schrock, Chairperson

GENERAL FILE

LEGISLATIVE BILL 692. Title read. Considered.

Advanced to E & R for review with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 438. Title read. Considered.

The Standing Committee amendment, AM0557, found on page 874, First Session, 1999, was adopted with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 654. Title read. Considered.

The Standing Committee amendment, AM0711, found on page 875, First Session, 1999, was considered.

Senator Schimek renewed her pending amendment, AM2123, found on page 471, to the Standing Committee amendment.

The Schimek amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

Senator Schimek renewed her pending amendment, AM2118, found on page 423.

The Schimek amendment was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Senator Schimek renewed her pending amendment, AM2159, printed separately and referred to on page 471.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1000A. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1000, Ninety-sixth Legislature, Second Session, 2000.

ANNOUNCEMENTS

The Agriculture Committee designates LB 957 as its priority bill.

Senator Smith designates LB 994 as his priority bill.

Senator Hudkins designates LB 1190 as her priority bill.

MOTION - Print in Journal

Senator Hilgert filed the following motion to LB 175:
Suspend Rule 6, Section 3, Rule 7, Section 3, and Rule 7, Section 7 and vote on the advancement of LB 175 without further amendment, motion, or debate.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 1008:
AM2194

1. On page 3, line 18, after the comma insert "the probation administrator or his or her designee,".

Senator Preister filed the following amendment to LB 717:
AM2003

1. Strike the original sections and insert the following new sections:

"Section 1. Section 81-15,191, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,191. Sections 81-15,191 to 81-15,235 and sections 3 and 5 of this act shall be known and may be cited as the Nebraska Emergency Planning and Community Right to Know Act.

Sec. 2. Section 81-15,193, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,193. For purposes of the Nebraska Emergency Planning and Community Right to Know Act, the definitions found in sections 81-15,194 to 81-15,209 and section 3 of this act apply.

Sec. 3. Hazardous material has the same meaning as in 49 C.F.R. 171.8.

Sec. 4. Section 81-15,214, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,214. (1) There is hereby created the Nebraska Emergency Planning and Community Right to Know Cash Fund. The fund may receive appropriations, gifts, bequests, grants, fees, or other contributions or donations from public or private entities. The fund shall be used to carry out the purposes of the Nebraska Emergency Planning and Community Right to Know Act, including:

(a) The funding of planning requirements as approved by the commission;

(b) The funding of specific projects as approved by the commission; and

~~(b)~~ (c) The payment of expenses incurred by the commission to administer the fund. Payment from the fund for costs of administering the fund shall not exceed fifteen percent of the total receipts of the fund during the fiscal year. The commission shall adopt and promulgate rules and regulations governing allocations from the fund and shall publish guidelines regarding allocations from the fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) Entities receiving allocations from the Nebraska Emergency Planning and Community Right to Know Cash Fund shall expend the allocation in a manner expressly approved by the commission. If allocations from the fund are used for purposes other than those approved by the commission, the commission may recover by appropriate legal means any funds spent inconsistent with the terms of the allocation. Any recovered funds shall be deposited in the fund.

Sec. 5. (1) The commission shall make allocations of the appropriations received from the General Fund pursuant to this section. The appropriations shall be allocated to local emergency planning committees which are actively working to carry out their powers and duties under the Nebraska Emergency Planning and Community Right to Know Act as follows:

(a) One-fourth shall annually be distributed equally to each qualifying local emergency planning committee; and

(b) Three-fourths shall annually be distributed to qualifying local emergency planning committees based on the number of facilities, highways, railroads, pipelines, and other structures reported in the emergency plan submitted by the committee in the previous year.

(2) If the commission has designated two or more counties to join together to form a local emergency planning district, any funds distributed to such committees under subdivision (1)(a) or (b) of this section shall be transferred to the committee for the local emergency planning district.

(3) The Nebraska Emergency Management Agency shall provide a detailed expenditure report to the commission and shall respond to all inquiries regarding expenditures.

(4) It is the intent of the Legislature to appropriate one hundred fifty thousand dollars from the General Fund for FY2000-01, FY2001-02, and FY2002-03 to the Nebraska Emergency Planning and Community Right to Know Cash Fund for the State

Emergency Response Commission.

(5) This section terminates on July 1, 2003.

Sec. 6. Original sections 81-15,191, 81-15,193, and 81-15,214, Reissue Revised Statutes of Nebraska, are repealed.".

Senator Bromm filed the following amendment to LB 1075:
AM2212

1. On page 2, line 11, after "telephone" insert ", teleconferencing, or video conferencing".

Senator Coordsen filed the following amendment to LB 701:
AM2241

(Amendments to Standing Committee amendments, AM0719)

1. On page 1, strike beginning with "where" in line 10 through line 15 and insert ", except that"; in line 18 after "developed" insert "if the landowner files a written request with the commission. If such a request is filed" and strike ". In such areas"; and in line 22 strike "adjoining".

MESSAGE FROM THE GOVERNOR

February 2, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, and 894 were received in my office on January 28, 2000.

These bills were signed by me on February 2, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 1089. Placed on General File.

LEGISLATIVE BILL 1090. Indefinitely postponed.

(Signed) Curt Bromm, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 919. No objections. So ordered.

Senator Bromm asked unanimous consent to have his name added as cointroducer to LB 950. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Bruning withdrew his name as cointroducer to LB 1014 and LB 1394.

VISITORS

Visitors to the Chamber were 72 high school students and teachers from Elkhorn; Louise Hardy and Titus Hardy from Canada and Tyler Sutton from Lincoln; 17 students and teachers from Culler Middle School, Lincoln; and 25 members from the Bellevue Chamber and Bellevue Leadership Class.

The Doctor of the Day was Dr. Jenny Olsen from Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Hartnett, the Legislature adjourned until 9:00 a.m., Thursday, February 3, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTIETH DAY - FEBRUARY 3, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 3, 2000

PRAYER

The prayer was offered by Senator Jensen.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Kristensen and Wickersham who were excused; and Senators Brashear, Hartnett, Kremer, and Landis who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the nineteenth day was approved.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 954. Placed on General File.
LEGISLATIVE BILL 1038. Placed on General File.
LEGISLATIVE BILL 1121. Placed on General File.

(Signed) David M. Landis, Chairperson

Health and Human Services

LEGISLATIVE BILL 950. Placed on General File as amended.
Standing Committee amendment to LB 950:
AM2192

1. Insert the following new section: "Sec. 5. The Department of Health and Human Services shall apply for all available federal funding to implement the Infant Hearing Act.".

2. On page 6, line 25, strike beginning with "screening" through "loss".

3. On page 7, line 2, strike "(1)"; strike lines 8 through 11; and strike beginning with the second "and" in line 22 through line 23 and insert a period.

4. Renumber the remaining sections and correct internal references accordingly.

(Signed) Jim Jensen, Chairperson

ATTORNEY GENERAL'S OPINION

Opinion #00006

DATE: February 2, 2000

SUBJECT: Legality of a statutory ban on the use of tissue and organs from aborted human infants for research and experimentation

REQUESTED BY: Senator Jim Jensen

WRITTEN BY: Don Stenberg, Attorney General
Steve Grasz, Deputy Attorney General

You have requested an analysis of potential legislation prohibiting the use of tissue, cells, organs or other materials from a human fetus or child who has been the subject of an elective abortion for the purpose of biomedical or other research. Specifically, you have inquired whether such legislation would be permissible in light of constitutional provisions, caselaw and current federal legislation permitting the federal funding of such research. You have not asked us to review any specific legislative bill. Accordingly, our analysis is of a general nature.

This opinion will examine U.S. Supreme Court decisions, relevant federal statues, caselaw from other jurisdictions on this topic, and current Nebraska law. Areas of analysis will include potential challenges based on abortion rights, vagueness, exercise of police power and preemption. The opinion concludes that the Legislature may ban research and experimentation using tissue or organs from aborted human infants if the legislation is properly drafted.

I. Application of Abortion Jurisprudence To Legislation Regulating the Use of Aborted Human Infants

Abortion was legalized nationwide by the U.S. Supreme Court in 1973. ***Roe v. Wade***, 410 U.S. 113, 93 S.Ct. 705 (1973). Since that time approximately 140,000 pre-born infants have been aborted in Nebraska according to State HHS data. In recent years, one of every five unborn children in Nebraska have been aborted. In response to this situation, the Nebraska legislature has adopted, and recently reaffirmed, a policy position of providing "protection for the life of the unborn child whenever possible." Neb. Rev. Stat. Ann. § 28-325 (Michie Supp. 1997). Severe restrictions on abortion-related legislation, however, have been imposed by the federal courts. Thus, the first area of inquiry concerns the application of abortion jurisprudence to a possible ban on use of human fetal tissue obtained from elective abortions.

To determine whether abortion jurisprudence restricts or prohibits such legislation it is important to first identify the specific right protected by abortion cases. The right protected under ***Planned Parenthood of Southeastern Pennsylvania v. Casey,*** 505 U.S. 833, 112 S.Ct. 2791 (1992), is the woman's "freedom to decide whether to terminate her pregnancy." ***Casey,*** 112 S.Ct. at 2819 (emphasis added). The Supreme Court has stated that State regulations on abortion will be upheld "which in no real sense deprive[] the woman of the ultimate decision." ***Id.*** Regulations will be upheld "if they are not a substantial obstacle to the woman's exercise of the right to choose." ***Id.*** Thus, "only where state regulation imposes an undue burden on a woman's ability to make this decision does the power of the State reach into the heart of the liberty protected by the Due Process Clause." ***Id.***

Under ***Casey*** there is a wide disparity between a State's ability to restrict the "reproductive choices" of individual women, and the State's ability to promote childbirth over abortion in general. In the former instance, the States may not impose any "undue burden" on the decision of a specific woman to abort her unborn child. In contrast, however, States are free to adopt general policies and positions favoring childbirth over abortion. ***Casey,*** 112 S.Ct. at 2821. ***See also Webster v. Reproductive Health Services,*** 492 U.S. 490, 506 (1989) ("The Court has emphasized that ***Roe v. Wade*** implies no limitation on the authority of a State to make a value judgment favoring childbirth over abortion.") (quoting ***Maher v. Roe,*** 432 U.S. 464, 474 (1977)).

The Supreme Court has also made it clear a State may not only make a value judgment favoring childbirth over abortion, but it may actively implement this policy. For example, a State may openly express concern for the life of unborn children from conception on. ***Casey***, 112 S.Ct. at 2816 ("The woman's liberty is not so unlimited, however, that from the outset the State cannot show its concern for the life of the unborn."). The State may also create structural mechanisms by which the State "may express profound respect for the life of the unborn." ***Casey***, 112 S.Ct. at 2821. The State may adopt measures designed to persuade women "to choose childbirth over abortion." ***Casey***, 112 S.Ct. at 2821. The State may implement policies and programs that make "childbirth a more attractive alternative, thereby influencing the woman's decision [whether to abort her child]." ***Webster v. Reproductive Health Services***, 109 S.Ct. 3040, 3051 (1989). The State may "use public facilities and staff to encourage childbirth over abortion." ***Webster***, 109 S.Ct. at 3052. The "State may make a value judgment favoring childbirth over abortion and . . . implement that judgment by the allocation of public funds.' " ***Webster***, 109 S.Ct. at 3052 (quoting ***Maher***, 97 S.Ct. at 2382). Significantly, the implementation of a State's policy favoring childbirth over abortion may also involve "the allocation of public resources, such as hospitals and medical staff." ***Id.***

Thus, a properly drafted ban on research and experimentation using tissue or organs from aborted children does not directly implicate or offend ***Casey*** since it would regulate use of the body of the child and not the ability to terminate the pregnancy.[1] Furthermore, to the extent the statute is intended to discourage abortion generally, or at least avoid encouraging abortion, the Supreme Court has explicitly recognized the right of States to enact legislation to achieve this purpose.

II. Existing State Law Governing Research on Aborted Infants

Current Nebraska law provides that "No person shall knowingly, intentionally, or willfully use any premature infant aborted alive for any type of scientific, research laboratory, or other kind of experimentation except as necessary to protect or preserve the life or health of such premature infant aborted alive. Violation of this section is a Class IV felony." Neb. Rev. Stat. Ann. § 28-346 (Michie 1995) (emphasis added). This statute, by its express terms, applies only to premature infants aborted alive. Consequently, its application is limited to this context. Any research on a premature infant aborted alive which results in his or her death is also prosecutable as a homicide. Neb. Rev. Stat. Ann. § 28-302 (Michie 1995) (defining "person", when referring to the victim of a homicide, as a human being who had been born and was alive at the time of the homicidal act). We note, however, that articles alleging precisely this activity (live late term babies being killed and then dissected for parts to meet research demands) contributed to a nationwide and local outcry against such research.

III. Existing Federal Law on Fetal Tissue Research

Current Federal law provides: "The Secretary [of HHS] may conduct or support research on the transplantation of human fetal tissue for therapeutic purposes." 42 U.S.C. § 289 g-l(a). Such fetal tissue may come from abortions. § 289 g-l(b). This research is not unlimited, however. First of all, the express language of the statute permits funding only for research on transplantation for therapeutic purposes. Furthermore, such research may be conducted "only in accordance with applicable State and local law." 289 g-l(e). Federal law is also limited in another significant way. 42 U.S.C. § 289 g(a) prohibits federal research or support of research or experimentation on a nonviable living human fetus ex utero or a living human fetus ex utero for whom viability has not been ascertained. . . ." (emphasis added). Exceptions are provided for procedures to meet the health needs of the fetus or where such research poses no added risk of suffering, injury, or death to the fetus. ***Id.***[2] Similarly, 45 CFR § 46.209 prohibits research involving nonviable fetuses ex utero unless the research would not cause death. In addition, 45 CFR § 46.208 prohibits research which involves fetuses in utero unless done for the health needs of the mother. Thus, the "donors" must be both dead and delivered.

Other federal regulations further restrict the scope of federally funded research. 45 CFR § 46.206 provides that "No procedural changes [to an abortion procedure] may be made for purposes of the research if they increase risk to the mother or fetus.

In addition, federal law also contains a prohibition on selling fetal tissue. The law provides that it is "unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration if the transfer affects interstate commerce." 42 U.S.C. § 289 g(2)(a) (emphasis added). This prohibition on selling tissue contains a big loophole, however, since the definition of "valuable consideration" expressly excludes payments for transportation, processing, preservation, quality control, or storage of human fetal tissue. 42 U.S.C. § 289 (g) (d) (3).

45 CFR § 46.210 echoes 42 USC § 289-g-1(e), and provides that experimentation using tissue from aborted fetuses "shall be conducted only in accordance with any applicable State or local laws regarding such activities."

In sum, federal law permits research or funding of research by the federal government using tissue from aborted human infants. However, this is limited to research on transplantation for therapeutic purposes. No research is permitted until the fetus is delivered from the mother and the child is dead. Abortion procedures may not be altered for purposes of the research if they increase risk to the mother or fetus. Direct payments for human fetal tissue are prohibited. Finally, the research must be conducted in accordance with State law.

IV. Application of Vagueness Analysis to Fetal Tissue Statutes

Perhaps the biggest challenge in drafting legislation prohibiting the use of organs and tissue from aborted human infants for experimentation and research is avoidance of "vagueness" problems pursuant to caselaw under the Due Process Clause of the Fourteenth Amendment. If a statute "fails to give a person of ordinary intelligence fair notice that his contemplated conduct is forbidden by the statute, the law is void for vagueness." ***Colautti v. Franklin,*** 439 U.S. 379, 390, 99 S.Ct. 675, 683 (1979).

Several state statutes banning use of aborted infants for experimentation have been reviewed by federal courts. In ***Margaret S. v. Edwards,*** 794 F.2d 994 (5th Cir. 1986), the court reviewed a Louisiana statute which provided, "No person shall experiment on an unborn child or a child born as the result of an abortion, whether the unborn child or child is alive or dead, unless the experimentation is therapeutic to the unborn child or child." ***Id.*** at 998 (quoting La. Rev. Stat. Ann. § 40:1299.35.13). The court concluded that because the statute failed to define "experiment" or "experimentation" the statute was void for vagueness. ***Id.*** at 999.

In ***Lifchez v. Hartigan,*** 735 F.Supp. 1361 (N.D. Ill. 1990), *aff'd.* 914 F.2d 260 (1990), the plaintiff challenged the constitutionality of an Illinois statute stating that "No person shall sell or experiment upon a fetus . . .unless such experimentation is therapeutic to the fetus . . . ." ***Id.*** at 1363. The court held that the statute's failure to define "experimentation" and "therapeutic" made it unconstitutionally vague. ***Id.*** at 1376. The court also held the law violated ***Roe v. Wade*** by intruding upon reproductive choice. In this regard the court focused on the possibility that the statute, as drafted, could prohibit embryo transfers intended to help infertile women get pregnant. ***Id.*** at 1377.

In ***Jane L. v. Bangerter,*** 61 F.3d 1493, 1500-1502 (10th Cir. 1995) (rev'd and remanded on other grounds sub nom. ***Leavitt v. Jane L.,*** 518 U.S. 137 (1996)), the court found Utah's statute banning "experimentation" on live unborn children to be unconstitutionally vague due to the lack of a definition of the "experimentation." Most recently, in ***Forbes v. Woods,*** 71 F.Supp. 2d 1015 (D.Ariz. 1999), the court reviewed an Arizona statute prohibiting experimentation on human fetuses from induced abortions. The court held the statute to be unconstitutionally vague, finding the terms, "experimentation", "investigation" and "routine" to be ambiguous terms. ***Id.*** at 1019.[3]

Despite the difficulties experienced by several States in the above cases, it is quite possible to draft a constitutional statute. As the Fifth Circuit noted in ***Edwards,*** with regard to its vagueness conclusion, "This of course does not imply that the States are powerless to regulate medical experimentation. Because of the nature of the vagueness doctrine, any holding that a statute is unconstitutionally vague must necessarily be highly case-specific. A statute using more precise language. . .would present a different case. . . ." 794 F.2d at 999 n.13. Thus, a statute could be drafted which would avoid a vagueness problem. To achieve this result, all important terms should be clearly defined, and an intent or scienter requirement should be included to help mitigate any ambiguity. ***See Village of Hoffman Estates v. Flipside, Hoffman Estates, Inc.,*** 455 U.S. 489, 499, 102 S.Ct. 1186 (1982).

V. Regulation of Fetal Experimentation as an Exercise of the State's Police Power

To qualify as a legitimate exercise of the State's "police power" a statute regulating fetal experimentation must be rationally related to an important state interest. In ***Margaret S. v. Treen,*** 597 F.Supp. 636, 674 (E.D. La. 1984), the district judge held that Louisiana's ban on experimentation on aborted children "is not justified by any legitimate state interest furthered by the statute." On appeal, however, the Fifth Circuit had little trouble finding a legitimate state interest. The Fifth Circuit noted the State's lack of an "explanation of the purpose of the prohibition on experiments on the fetus or child that emerges as a result of an abortion." ***Margaret S. v. Edwards,*** 794 F.2d 994, 998 n.11 (5th Cir. 1986). However, the court then stated, "We can hypothesize that Louisiana wanted to remove some of the incentives for research-minded physicians either to promote abortions or manipulate the timing of abortions in an effort to acquire fetal remains of a desired maturity.

The statute is therefore rationally related to an important state interest." ***Id.*** (emphasis added).

A concurring opinion from the Firth Circuit decision in ***Edwards*** is also noteworthy. Circuit Judge Williams strenuously disagreed that the statute was unconstitutionally vague, but concluded it was still invalid. In his view a prohibition on fetal research using aborted infants "fails to bear . . .a rational relationship to an important state interest" so as to be a valid exercise of the state's police powers. ***Id.*** at 1002 (Williams, concurring). This analysis is noteworthy because it is predicated upon the proposition that "no rational justification is shown for prohibiting experimentation on fetal tissue from a lawful induced abortion as opposed to a spontaneous abortion." ***Id.*** Judge Williams concluded, "There was no showing that [Louisiana statute] § 1299.35.13 in prohibiting experimentation on fetal tissue only in the instance of lawful induced abortion has any rational relationship to any legitimate state interest. The record is lacking in showing valid state policy in any of these distinctions. I can only conclude that under the guise of police regulation the state has actually undertaken to discourage constitutionally privileged induced abortions." ***Id.*** at 1002. (emphasis added). This analysis, written in 1986, is a legal nonsequitur today in light of subsequent case law from the Supreme Court, including ***Casey.*** As discussed in section I, a State may clearly take action to discourage induced abortions.

Despite changes in caselaw since ***Edwards,*** it is still essential for the legislature to put forward a rational basis for treating aborted children's corpses differently than other human corpses.[4] One commentator argued there is no such rational basis. ***See*** Gregory Gelfand & Toby R. Levin, Fetal Tissue Research: Legal Regulation of Human Fetal Tissue Transplantation, 50 Wash. & Lee L. Rev. 647, 682 (1993). However, as discussed below, it appears such commentators try not to think too hard to find a rational distinction.

A statute prohibiting the use of tissue and organs from aborted children for research and experimentation could serve a number of legitimate State interests which have been recognized by courts. First, the State may enact provisions aimed at preserving respect for human life. ***Casey,*** 112 S.Ct. at 2821. Second, the State has an interest in maintaining the integrity of the medical profession. ***Washington v. Glucksberg,*** 521 U.S. 702, 117 S.Ct. 2258 (1997) ("The State has an interest in protecting the integrity and ethics of the medical profession. "[discussing the risk of "blurring the time-honored line between healing and harming."]). Third, the State may enact policies and laws to discourage abortion and promote childbirth. ***Casey,*** 112 S.Ct. at 2821. This interest would likely encompass a policy against legitimizing abortion through such fetal research. In this regard we note that during our research on this opinion we came into possession of a promotional brochure by a division of Consultative and Diagnostic Pathology, Inc. called "Opening Lines". This brochure states the company was formed "to maximize the utilization of fresh fetal tissue we process." In large letters, the brochure advertises "Fresh Fetal Tissue harvested and shipped to your specifications . . . where and when you need it". In equally large print, the brochure states "Find Out How You Can Turn Your Patient's Decision Into Something Wonderful." (emphasis added). Such evidence would tend to support a State interest in avoiding the legitimization of abortion through use of the corpses for research.

Fourth, the State has an interest in preventing unnecessary pain and suffering to unborn children, despite the fact the State cannot prevent their death. ***See Planned Parenthood of Wisconsin v. Doyle,*** 162 F.3d 463, 477-78 (7th Cir. 1998) (Manion, dissenting)(discussing the state interest in preventing "cruel and gruesome" procedures on the unborn during an abortion and comparing statutes which criminalize the shooting of caged animals.). It is true that this state interest applies only to the extraction of tissue or organs from living unborn children, before, during or after an abortion. However, it appears the "donors" are not always dead when their tissue is harvested. As one proponent of fetal tissue experimentation has acknowledged "Although a great number of authors have assumed that the UAGA [Uniform Anatomical Gift Act] . . . is applicable to all fetal tissue transplants, a minor problem is presented because some fetal tissue is taken from fetuses which, while nonviable, are not dead. The UAGA does not apply to tissue donations from live persons. . . ." Fetal Tissue Research: Legal Regulation of Human Fetal Tissue Transplantation, 50 Wash & Lee L. Rev. at 671 (emphasis added).

In this regard we note that here in Nebraska, UNMC has thus far failed to respond to requests for information regarding whether the human brain tissue it obtains from aborted children is extracted while the child is still living. Dr. Carhart, UNMC's fetal tissue supplier, has testified previously that he removes brain tissue from living, partially-born children in a procedure he calls an "intact D&E" (partial-birth abortion). ***Carhart v. Stenberg,*** 11 F.Supp.2d 1099 (1998). Although UNMC denies any fetal brain tissue it uses comes from partial-birth abortions, it is quite possible that whatever procedure is used, the child is living at the time the brain is extracted. ***Carhart,*** 11 F.Supp.2d at 1106 (discussing various abortion techniques). Although these children are not likely viable, it should be noted that the State's interest in unborn human life, according to the Supreme Court, begins not at birth or viability, but at conception. ***Casey,*** 112 S.Ct. at 2817, 2821 (referencing the "State's profound interest in potential life, throughout pregnancy").

Finally, there is a fifth, and closely related state interest. The State has a legitimate interest in the "moral underpinnings of state law" which is served by statutory prohibition on activity deemed by the legislature to be immoral. ***Id.*** at 13. ***Planned Parenthood of Wisconsin v. Doyle,*** 162 F.3d 463, 477-478 (7th Cir. 1998)(Manion, dissenting).[5] Simply put, the legislature may legitimately conclude that the harvesting of organs and tissue from the victims of elective abortion is wrong and would undermine respect for life and medical ethics.

In sum, it is important for legislation in this area to be drafted in furtherance of a legitimate State interest such as those discussed above in order to constitute a proper exercise of the State's police powers.

VI. Preemption of State Law by Federal Law on Fetal Tissue Research

The existence of a federal law permitting the funding of certain fetal tissue research raises the issue of preemption. "The Supremacy Clause of the federal constitution dictates that a state law . . . cannot prevent the administration and execution of a federal statute." ***Missouri v. Glasgow,*** 152 F.3d 802 (8th Cir. 1998). However, "[i]n a pre-emption case . . . state law is displaced only 'to the extent that it actually conflicts with federal law." ***Dalton v. Little Rock Family Planning Services,*** 516, U.S. 474, 116 S.Ct. 1063, 1064 (1996). Furthermore, courts are to "start with the assumption that the historic police powers of the states [are] not to be superseded . . . unless that was the clear and manifest purpose of Congress" ***Ace Auto Body & Towing, Ltd. v. City of New York,*** 171 F.3d 765, 771 (2nd Cir. 1999).

We do not believe the existing federal law would preempt a properly drafted state fetal experimentation research statute. The federal provisions discussed in section III above were enacted to authorize federal funding of fetal tissue research within certain narrow parameters. ***See*** National Institutes of Health Revitalization Act of 1993, 42 U.S.C. § 289 g-l et. seq.

The federal statutes do not, in our opinion, preempt State legislation of the type contemplated for several reasons. First, the federal statute covers only research done for "transplantation" purposes. Second, it is limited in application to dead corpses after complete delivery. Likewise, its payment prohibition is also narrow in scope, leaving room for additional regulation. Third, there is no express preemption of State law. On the contrary, the federal statute expressly acknowledges and defers to potential restrictions under state or local law. 42 USC § 289 g-l(e). ***See also*** 45 CFR § 46.210. Furthermore, 45 CFR § 46.201 identifies the scope of applicability of "protections pertaining to research . . . involving fetuses . . . ." These regulations are applicable to all HHS grants and contracts supporting research involving fetuses. § 46.201(a). Section 46.201(b) provides that "Nothing in this subpart shall be construed as indicating that compliance with the procedures set forth herein will in any way render inapplicable pertinent State or local laws bearing upon activities covered by this subpart."

Another indication of the lack of preemption is the absence of this conclusion in recent litigation, as well as the continued existence of fetal research statutes in several states. For example, in ***Forbes v. Woods,*** 71 F.Supp. 2d 1015 (D.Ariz. 1999), a ban on aborted fetal tissue research was challenged on no less than six different constitutional theories. ***Id.*** at 1016 - 1017. No allegation was made, however, that the statute was void under the Supremacy Clause due to federal preemption.

North Dakota currently has a statute banning use of a live fetus, or any tissue or organ thereof, resulting from an induced abortion in animal or human research, experimentation, or study, or for animal or human transplantation. N.D. ST. 14-02.2-01 (1997). North Dakota law also bans such experimentation on dead fetuses except for diagnostic or remedial procedures to assist the mother or for pathological study. ***Id.*** 14-02.2-02. Oklahoma law also currently provides that "No person shall experiment upon a child or an unborn child resulting from an abortion or which is intended to be aborted unless the experimentation is therapeutic to the child or unborn child." 63 OK. St. Sec. 1-735 (1997). "Experiment" is defined as excluding autopsies. ***Id.***

Any concern over preemption can be mitigated in the contemplated legislation by expressly prohibiting types of research and experimentation on aborted children which are clearly outside the scope of the federal statute. Such areas include: use of tissue or organs for research purposes which were removed or obtained from human infants prior to death; use of tissue or organs for research purposes which were removed or obtained from human infants in utero (prior to extraction from the mother); payment or receipt of money or other valuable consideration for site fees, transportation, processing, preservation, quality control or storage of human fetal tissue derived from an induced abortion; use of tissue or organs from aborted human infants for research purposes other than for transplantation; the performance of any act or procedure in the course of an abortion, for research purposes, which increases the duration of the procedure or alters its performance, and is not intended to benefit the mother; reporting of information concerning the harvesting of fetal tissue to a designated State agency; and a ban on participation in research or experimentation using aborted children by State employees, state institutions or State funded entities or programs. A severability clause should be included as well.

VII. Conclusion

There is no legal prohibition to banning research and experimentation using tissue or organs from human infants that are the subjects of induced abortion provided the legislation is properly drafted.

[1] The concern expressed by one court about possibly prohibiting reproductive choice in the form of embryo transfers and fertility treatment in ***Lifchez v. Hartigan,*** 735 F.Supp. 1361 (N.D. Ill. 1990) can be easily avoided by proper drafting.

[2] Although one could argue that some limited forms of experimentation on a living fetus ex utero (after delivery) are permitted under the exceptions in the Federal guidelines, this is a highly dubious proposition. First of all, just as the intentional killing of a nonviable premature baby is prosecutable as homicide, the intentional injury or performance of an invasive procedure upon such child could be considered a criminal assault. ***See*** Neb. Rev. State. § 28-310 and 28-109(16). ***See Showry, v. Texas,*** 690 S.W.2d 689, 692 (Tex. App. 1985). Furthermore, such child is a "person" upon live birth under the Fourteenth Amendment and is entitled to its protection.

[3] Given the level of specificity in the Arizona statute, as compared to many

other fetal experimentation statutes, one could view the result as a manifestation of what a majority of current U.S. Supreme Court Justices have referred to as the "abortion ad hoc nullification machine." This so-called "machine" finds ways to nullify any State attempt to regulate in any area related to abortion. The existence and operation of the abortion ad hoc nullification machine was first recognized by Justice O'Connor (joined in her dissent by then-Justice Rehnquist) in ***Thornburgh v. A.C.O.G.,*** 476 U.S. 747, 814, 106 S.Ct. 2169, 2206-2207 (1986). It was more recently described by Justice Scalia (joined by Justice Kennedy and Justice Thomas in his partial concurrence and partial dissent) in ***Madsen v. Women's Health Center, Inc.,*** 114 S.Ct. 2516, 2534-2535 (1994). Thus, a majority of the U.S. Supreme Court has decried its existence and operation. Nonetheless, because of this problem it is all the more important to clearly define all terms in fetal experimentation statutes.

[4] For example, there would surely be a rational basis to prohibit the use of organs taken from executed prisoners in China (an alleged practice that has been reported in the media) while allowing the use of legitimately donated organs from naturally occurring deaths. In both cases the person is dead. Yet, a public policy can easily be articulated to distinguish between the two situations.

[5] A rather extensive review of several State interests which are present even with respect to an unborn child that is about to be, or is in the process of being, killed was set forth by Seventh Circuit Court of Appeals Judge Manion in ***Doyle.***

Sincerely,
DON STENBERG
Attorney General
(Signed) Steve Grasz
Deputy Attorney General

3-878-21
cc: Clerk of the Legislature

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 3, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Chris Abboud Public Affairs Group, Inc.
  Abboud, Chris – Lincoln; Santee Sioux Tribal Office
Fahleson, Mark A./Rembolt Ludtke & Berger
  Fahleson, Mark A. – Lincoln; High Plains Corporation
Fenster, Rolland – Lincoln; American Association of Retired Persons

Goc, John J. – Lincoln; Iowa Gaming Company
Hassebrook, Chuck – Walthill; Center for Rural Affairs
Hundhausen, Gertrude – Grant; American Association of Retired Persons
Kelley, Lehan & Hall, P.C.
  Kelley, Michael A. – Omaha; Valley Lottery II, Inc.
Nabb, Douglas – Fremont; Fremont Public Schools
Nebraska Retail Federation
  Potter, Cara E. – Lincoln; Kelley Lehan, Hall, P.C.
Nelson, Arlene – Grand Island; American Association of Retired Persons
Stone, Fred R. – Lincoln; Nebraska Petroleum Marketers & Convenience Store Association (Withdrawn 01/31/2000)
Thompson, Nancy L. – South Sioux City; Center for Rural Affairs (Withdrawn 01/31/2000); Friends of the Constitution

STANDING COMMITTEE REPORT
Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Department of Motor Vehicles, Director
  Beverly Neth

VOTE: Aye: Senators Byars, Jones, Baker, Robak, Dw. Pedersen, Hudkins, Thompson, and Bromm. Nay: None. Absent: None.

(Signed) Curt Bromm, Chairperson

MOTION – Refer LB 349 Back to Committee

Senator Schimek renewed her pending motion, found on page 521, pursuant to Rule 3, Section 17, to refer LB 349 back to Government, Military and Veterans Affairs Committee.

The Schimek motion prevailed with 31 ayes, 3 nays, 11 present and not voting, and 4 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 482A. Title read. Considered.

Advanced to E & R for review with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

ANNOUNCEMENTS

Senator Aguilar designates LB 557 as his priority bill.

Senator Schrock designates LB 1234 as his priority bill.

The Government, Military and Veterans Affairs Committee designates LB 1135 as its priority bill.

NOTICE OF COMMITTEE HEARING
Appropriations

Thursday, February 10, 2000 1:30 p.m.
Agency 33 – Game and Parks Commission

(Signed) Roger R. Wehrbein, Chairperson

STANDING COMMITTEE REPORTS
Urban Affairs

LEGISLATIVE BILL 1238. Placed on General File.
LEGISLATIVE BILL 1258. Placed on General File.

(Signed) D. Paul Hartnett, Chairperson

SELECT FILE

LEGISLATIVE BILL 729. Senator Redfield withdrew her motion, found on page 2060, First Session, 1999, to bracket.

Senators Bohlke and Bromm asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Schimek renewed her pending amendment, AM2005, found on page 212.

The Schimek amendment was adopted with 25 ayes, 2 nays, 19 present and not voting, and 3 excused and not voting.

Senator Chambers offered the following amendment:
FA284
Amend AM2005
P. 2, line 21, add a new subsection: "If the Secretary of State accepts or refuses to accept for filing any initiative or referendum petition, he or she shall provide no comment or opinion relative to any particular or specific aspects or provisions of any petition but shall only declare that the petition is or is not legally sufficient.

SENATOR CUDABACK PRESIDING

Senator Byars asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Senator Redfield offered the following amendment:
FA285
(Amend AM2005)
To strike language from line 23, page 2, beginning with (a) to line 27, page 2, at the comma.

Senator Dickey asked unanimous consent to be excused. No objections. So ordered.

Senators Hartnett and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Redfield moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator Schimek requested a roll call vote on the Redfield amendment.

Voting in the affirmative, 15:

Aguilar	Baker	Bruning	Coordsen	Dierks
Jensen	Jones	Kiel	Lynch	Quandahl
Redfield	Schmitt	Smith	Stuhr	Tyson

Voting in the negative, 13:

Bohlke	Chambers	Connealy	Crosby	Janssen
Landis	Price	Raikes	Schimek	Schrock
Suttle	Thompson	Wehrbein		

Present and not voting, 14:

Beutler	Bourne	Brashear	Brown	Cudaback
Engel	Hilgert	Hudkins	Kremer	Matzke
Pedersen, Dw.	Pederson, D.	Preister	Vrtiska	

Excused and not voting, 7:

Bromm	Byars	Dickey	Hartnett	Kristensen
Robak	Wickersham			

The Redfield amendment lost with 15 ayes, 13 nays, 14 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator Schimek moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Schimek requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Aguilar Beutler Bohlke Bourne Brashear
Brown Connealy Crosby Cudaback Engel
Hudkins Janssen Kiel Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Raikes Schimek Schrock Thompson Vrtiska
Wehrbein

Voting in the negative, 16:

Baker Bruning Chambers Coordsen Dierks
Hilgert Jensen Jones Kremer Quandahl
Redfield Schmitt Smith Stuhr Suttle
Tyson

Excused and not voting, 7:

Bromm Byars Dickey Hartnett Kristensen
Robak Wickersham

Advanced to E & R for engrossment with 26 ayes, 16 nays, and 7 excused and not voting.

The Chair declared the call raised.

Senator Schimek asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 482. E & R amendment, AM7177, found on page 413, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 151. E & R amendment, AM7179, found on page 414, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 55. E & R amendment, AM7180, found on page 414, was adopted.

Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 654. The Schimek pending amendment, AM2159, printed separately and referred to on page 471 and considered on page 529, was renewed.

PRESIDENT MAURSTAD PRESIDING

The Schimek amendment was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 654A. Title read. Considered.

Senator Janssen renewed the Schimek pending amendment, AM2124, found on page 424.

Senator Lynch renewed his pending amendment, AM2160, found on page 471, to the Schimek pending amendment.

The Lynch amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

The Schimek amendment, as amended, was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 701. Title read. Considered.

The Standing Committee amendment, AM0719, found on page 938, First Session, 1999, was considered.

Senator Schrock renewed his pending amendment, AM1990, found on page 171, to the Standing Committee amendment.

The Schrock amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Coordsen renewed his pending amendment, AM2241, found on page 532, to the Standing Committee amendment.

Senators Suttle, Janssen, and Brashear asked unanimous consent to be excused. No objections. So ordered.

Pending.

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 1289. Placed on General File.

LEGISLATIVE BILL 1204. Placed on General File as amended.
Standing Committee amendment to LB 1204:
AM2259

1. On page 2, line 22, after the underscored period insert "If the notice is to be served by certified mail, the clerk shall provide the plaintiff with written instructions, prepared and provided by the State Court Administrator, regarding the proper procedure for service by certified mail.".

LEGISLATIVE RESOLUTION 291CA. Placed on General File as amended.
Standing Committee amendment to LR 291CA:
AM2231

1. On page 2, line 26, strike "for the judiciary" and insert "made by the Legislature for the judiciary to allow the changes to take effect for all judges at the beginning of the full term of any judge of any court in the state".

(Signed) Kermit A. Brashear, Chairperson

Natural Resources

LEGISLATIVE RESOLUTION 295. Reported to the Legislature for further consideration.

LEGISLATIVE RESOLUTION 296. Reported to the Legislature for further consideration.

LEGISLATIVE BILL 1273. Placed on General File.

(Signed) Edward J. Schrock, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 175. Placed on Select File as amended.
E & R amendment to LB 175:
AM7181

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 20-131.04, Reissue Revised Statutes of Nebraska, is amended to read:

20-131.04. Every totally or partially blind person who has a dog guide or who obtains a dog guide, every hearing-impaired person who has a hearing aid dog or who obtains a hearing aid dog, and every physically disabled person who has a service dog or obtains a service dog shall have full and equal access to all housing accommodations with such dog as prescribed in sections 20-131.01 to 20-131.04. Such person shall not be required to pay extra compensation for such dog. Such person shall be liable for any damage done to such premises by such dog. ~~Any person who rents, leases, or provides housing accommodations for compensation may demand or receive a reasonable dog deposit, not to exceed one-fourth of one month's periodic rent, from any totally or partially blind person who has or obtains a dog guide, from any hearing-impaired person who has or obtains a hearing aid dog, or from any physically disabled person who has or obtains a service dog.~~

Sec. 2. Section 69-2304, Reissue Revised Statutes of Nebraska, is amended to read:

69-2304. A notice given pursuant to section 69-2303 shall contain one of the following statements, as appropriate:

(1) "If you fail to reclaim the property, it will be sold at a public sale after notice of the sale has been given by publication. You have the right to bid on the property at this sale. After the property is sold and the costs of storage, advertising, and sale are deducted, the remaining money will be turned over to the State Treasurer pursuant to the Uniform Disposition of Unclaimed Property Act. You may claim the remaining money from the office of the State Treasurer as provided in such act."; or

(2) "Because this property is believed to be worth less than ~~two hundred fifty~~ five hundred dollars, it may be kept, sold, or destroyed without further notice if you fail to reclaim it within the time indicated in this notice.".

Sec. 3. Section 69-2308, Reissue Revised Statutes of Nebraska, is amended to read:

69-2308. (1) If the personal property is not released pursuant to section 69-2307, it shall be sold at public sale by competitive bidding, except that if the landlord reasonably believes that the total resale value of the property not released is less than ~~two hundred fifty~~ five hundred dollars, he or she may retain such property for his or her own use or dispose of it in any manner he or she chooses. At such time as the decision to sell or to retain is made, any locked trunk, valise, box, or other container shall be opened, if practicable, with as little damage as possible, and its contents evaluated. Nothing in this section shall be construed to preclude the landlord or the tenant from bidding on the property at the public sale. The successful bidder's title shall be subject to ownership rights, liens, and security interests which have priority by law.

(2) Notice of the time and place of the public sale shall be given by advertisement of the sale published once a week for two

consecutive weeks in a newspaper of general circulation in the county where the sale is to be held. If there is no newspaper of general circulation in the county where the sale is to be held, the advertisement shall be posted no fewer than ten days before the sale in not less than six conspicuous places in the neighborhood of the proposed sale. The sale shall be held at the nearest suitable place to the place where the personal property is held or stored. The advertisement shall include a description of the goods, the name of the former tenant, and the time and place of the sale. The sale shall take place no sooner than ten days after the first publication. The last publication shall be no less than five days before the sale is to be held. Notice of sale may be published before the last of the dates specified for taking possession of the property in any notice given pursuant to section 69-2303.

(3) The notice of the sale shall describe the property to be sold in a manner reasonably adequate to permit the owner of the property to identify it. The notice may describe all or a portion of the property, but the limitation of liability provided by section 69-2309 shall not release the landlord from any liability arising from the disposition of property not described in the notice.

(4) After deduction of the reasonable costs of storage, advertising, and sale, any proceeds of the sale not claimed by the former tenant, an owner other than such tenant, or another person having an interest in the proceeds shall, not later than thirty days after the date of sale, be remitted to the State Treasurer for disposition pursuant to the Uniform Disposition of Unclaimed Property Act. The former tenant, other owner, or other person having interest in the proceeds may claim the proceeds by complying with the act. If the State Treasurer pays the proceeds or any part thereof to a claimant, neither the State Treasurer nor any employee thereof shall be liable to any other claimant as to the amount paid.

Sec. 4. Section 76-1416, Revised Statutes Supplement, 1999, is amended to read:

76-1416. (1) A landlord may not demand or receive security, however denominated, in an amount or value in excess of ~~one~~ two month's periodic rent, except that a pet deposit not in excess of ~~one-fourth~~ one-half of one month's periodic rent may be demanded or received when appropriate, but this subsection shall not be applicable to housing agencies organized or existing under the Nebraska Housing Agency Act.

(2) Upon termination of the tenancy, property or money held by the landlord as prepaid rent and security may be applied to the payment of rent and the amount of damages which the landlord has suffered by reason of the tenant's noncompliance with the rental agreement or section 76-1421. The balance, if any, and a written itemization shall be delivered or mailed to the tenant within fourteen days after demand and designation of the location

where payment may be made or mailed.

(3) If the landlord fails to comply with subsection (2) of this section, the tenant may recover the property and money due him or her and reasonable attorney's fees.

(4) This section does not preclude the landlord or tenant from recovering other damages to which he or she may be entitled under the Uniform Residential Landlord and Tenant Act and section 25-21,219.

(5) The holder of the landlord's interest in the premises at the time of the termination of the tenancy is bound by this section.

Sec. 5. Section 76-1446, Reissue Revised Statutes of Nebraska, is amended to read:

76-1446. Trial of the action for possession shall be held not less than five nor more than seven days after the issuance of the summons unless the defendant appears and contests the action. If the defendant appears and contests the action, trial of the action for possession shall be held not ~~less than ten nor~~ more than fourteen days after the issuance of the summons. The action shall be tried by the court without a jury. If the plaintiff serves the summons in the manner provided in section 76-1442.01, the action shall proceed as other actions for possession except that a money judgment shall not be granted for the plaintiff. If judgment is rendered against the defendant for the restitution of the premises, the court shall declare the forfeiture of the rental agreement, and shall, at the request of the plaintiff or his or her attorney, issue a writ of restitution, directing the constable or sheriff to restore possession of the premises to the plaintiff on a specified date not more than ~~ten~~ five days after issuance of the writ of restitution. The plaintiff shall comply with the Disposition of Personal Property Landlord and Tenant Act in the removal of personal property remaining on the premises at the time possession of the premises is restored.

Sec. 6. Section 76-1483, Reissue Revised Statutes of Nebraska, is amended to read:

76-1483. A landlord shall not demand or receive as rental deposit an amount or value in excess of ~~one~~ two month's periodic rent.

Sec. 7. Original sections 20-131.04, 69-2304, 69-2308, 76-1446, and 76-1483, Reissue Revised Statutes of Nebraska, and section 76-1416, Revised Statutes Supplement, 1999, are repealed.".

2. On page 1, strike beginning with "landlord" in line 1 through line 3 and insert "housing accommodations; to amend sections 20-131.04, 69-2304, 69-2308, 76-1446, and 76-1483, Reissue Revised Statutes of Nebraska, and section 76-1416, Revised Statutes Supplement, 1999; to change and eliminate".

LEGISLATIVE BILL 504. Placed on Select File.
LEGISLATIVE BILL 510. Placed on Select File.

LEGISLATIVE BILL 692. Placed on Select File as amended.
E & R amendment to LB 692:
AM7182

1. Because of the passage of Laws 1999, LB86:
a. Strike original section 5;
b. On page 1, line 2; and page 7, line 6, strike "23-250.01,"; and
c. Renumber the remaining sections accordingly.

(Signed) Adrian M. Smith, Chairperson

NOTICE OF COMMITTEE HEARING
Judiciary

LB 1142 Friday, February 11, 2000 (cancel) 1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 919. No objections. So ordered.

COMMUNICATION

February 3, 2000

Mrs. Chris Peterson
Policy Secretary
Health and Human Services System
PO Box 95026
Lincoln, NE 68509

Dear Mrs. Peterson,

Pursuant to LB 637 and the federal Welfare Reform Act, the Nebraska Legislature has voted on the confirmation of the Nebraska State Treasurer's Office as the vendor to operate the State Disbursement Unit.

On February 2, 2000 the Legislature approved the confirmation of the Nebraska State Treasurer's Office to act as the single, centralized State Disbursement Unit for receiving and disbursing child support payments with a 34-0 vote.

Please contact my office if you should have any questions.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

VISITORS

Visitors to the Chamber were 24 fourth grade students and teacher from St. Johns School, Seward; 29 fourth grade students, teacher, and sponsors from Longfellow Elementary, Hastings; 30 fourth grade students and teachers from Longfellow Elementary School, Hastings; and Rob Zatechka from Lincoln.

The Doctor of the Day was Dr. Troy Miller from Neligh.

ADJOURNMENT

At 12:01 p.m., on a motion by Senator Schrock, the Legislature adjourned until 9:00 a.m., Monday, February 7, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIRST DAY - FEBRUARY 7, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

TWENTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 7, 2000

PRAYER

The prayer was offered by Pastor Jim Eckman, Grace University, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Byars and Hartnett who were excused; and Senators Bohlke, Bromm, Brown, Dierks, Janssen, Kristensen, Landis, Robak, Schimek, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twentieth day was approved.

ANNOUNCEMENT

Senator Redfield designates LB 1096 as her priority bill.

MESSAGES FROM THE GOVERNOR

February 4, 2000

President, Speaker Kristensen
  and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Nebraska Environmental Trust Board:

APPOINTEE:
William Grewcock, 2123 Mullen Rd, Omaha NE 68124

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

February 4, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Commission for the Deaf and Hard of Hearing:

APPOINTEES:
*Esther Seanor, 927 16th St, Gothenburg NE 69138
*Tricia Tighe, 7621 Cherrywood Dr #8, Lincoln NE 68510
Margaret Coleman, 5500 Salt Valley View #4, Lincoln NE 68512

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

February 4, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Health and Human Services System Partnership Council:

APPOINTEES:
*Stacie Bleicher, 1340 Crestdale Rd, Lincoln NE 68510
*Kathy Moore, 219 S 167, Omaha NE 68118
Peter Tulipana, 1604 S 154, Omaha NE 68144
*Ella Ochoa, 602 N Sherman, North Platte, NE 69101

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

STANDING COMMITTEE REPORTS
Urban Affairs

The Urban Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Volunteer Service Award Benefit Review Board
  Charles Carson
  Travis Mayer
  Nicholas Ross
  Clarence Schweitzer
  James Templar
  Robert Tichota
  David Wees
  Tim Wessling
  Keith Wood

VOTE: Aye: Senators Connealy, Hartnett, Preister, Quandahl, Redfield, Schimek, and Smith. Nay: None. Absent: None.

LEGISLATIVE BILL 237. Indefinitely postponed.
LEGISLATIVE BILL 364. Indefinitely postponed.
LEGISLATIVE BILL 462. Indefinitely postponed.
LEGISLATIVE BILL 536. Indefinitely postponed.
LEGISLATIVE BILL 549. Indefinitely postponed.
LEGISLATIVE BILL 590. Indefinitely postponed.
LEGISLATIVE BILL 702. Indefinitely postponed.
LEGISLATIVE BILL 741. Indefinitely postponed.

LEGISLATIVE BILL 752. Indefinitely postponed.
LEGISLATIVE BILL 804. Indefinitely postponed.

(Signed) D. Paul Hartnett, Chairperson

AMENDMENT - Print in Journal

Senator Bourne filed the following amendment to LB 175:
AM2269

(Amendments to E & R amendments, AM7181)

1. Strike section 6.
2. On page 4, line 15, strike the new matter and reinstate the stricken matter.
3. On page 6, line 12, strike "76-1446, and 76-1483" and insert "and 76-1446".
4. Renumber the remaining section accordingly.

STANDING COMMITTEE REPORTS
Nebraska Retirement Systems

LEGISLATIVE BILL 1192. Placed on General File as amended.
Standing Committee amendment to LB 1192:
AM2262

1. Insert the following new sections:

"Sec. 15. Section 79-951, Revised Statutes Supplement, 1999, is amended to read:

79-951. A member shall be retired on account of disability, either upon his or her own application or the application of his or her employer or a person acting in his or her behalf, if a medical examination, made at the expense of the retirement system and conducted by a competent disinterested physician legally authorized to practice medicine under the laws of the state in which he or she practices, selected by the retirement board, shows and the physician certifies to the retirement board that the member is unable to engage in a substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or be of a long and indefinite duration. The member shall have ~~one year~~ five years from the date he or she terminates employment in a public school located in Nebraska in which to make application for disability retirement benefits if the disability is related to employment in a public school located in Nebraska. If the disability is not related to a public school located in Nebraska, the member shall have one year from the date he or she terminates employment in which to make application for disability retirement benefits. Any application for retirement on account of disability shall be made on a retirement application provided by the retirement system. Upon approval by the board, benefits shall begin on the disability retirement date.

Sec. 29. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 8, strike beginning with "If" in line 11 through line 16.

3. On page 8, lines 27 and 28; page 16, lines 27 and 28; page 30, lines 22 and 23; page 42, lines 1 and 2; page 48, lines 17 and 18; and page 56, lines 21 and 22, strike "in" through "standards".

4. On page 9, strike lines 6 through 11 and insert:

"(2) The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires.".

5. On page 17, strike beginning with "If" in line 6 through line 12 and insert "The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires."; and strike beginning with "If" in line 15 through line 20.

6. On page 27, line 5, after "unless" insert "(i)"; and in line 6 after "position" insert "or (ii) the excess compensation occurred as the result of a collective-bargaining agreement between the employer and a recognized collective-bargaining unit or category of school employee. For purposes of this subdivision, (A) category of school employee means either all certificated employees of the employer or all noncertificated employees of the employer or both and (B) recognized collective bargaining unit means a group of employees similarly situated with a similar community of interest appropriate for bargaining recognized as such by a school board".

7. On page 31, strike lines 1 through 12 and insert:

"(2) The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires.".

8. On page 41, strike beginning with "If" in line 10 through line 15.

9. On page 42, strike beginning with "If" in line 8 through line 14 and insert "The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires.".

10. On page 48, line 10, after "director" insert "of the Nebraska Public Employees Retirement Systems"; strike beginning with "of" in line 15 through "Systems" in line 16; and strike lines 24 through 28 and insert:

"(2) The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires.".

11. On page 49, strike line 1.

12. On page 50, strike beginning with "If" in line 11 through line 16.

13. On page 51, strike beginning with "in" in line 21 through "standards" in line 22 and show the old matter as stricken; and strike beginning with "If" in line 27 through line 28.

14. On page 52, strike beginning with "and" in line 1 through the period in line 4.

15. On page 56, lines 16 and 17, strike "may prescribe" and insert "shall consult with the Department of Administrative Services and other employers as to"; and in line 20 after the first "director" insert "of the Nebraska Public Employees Retirement Systems".

16. On page 57, strike lines 1 through 7 and insert:

"(2) The director shall develop and implement an employer education program using principles generally accepted by public employee retirement systems so that all employers have the knowledge and information necessary to prepare and file reports as the board requires."; and in line 13 after "79-902," insert "79-951,".

17. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 1200. Placed on General File as amended.
Standing Committee amendment to LB 1200:
AM2263

1. On page 3, strike beginning with the underscored "the" in line 17 through the period in line 19, show the old matter as stricken, and insert "a reasonable fee as determined by the board.".

2. On page 4, line 12; and page 11, line 14, strike "and with" and insert "for".

3. On page 5, line 28, strike "the".

4. On page 6, strike beginning with "same" in line 1 through "options" in line 2, show the old matter as stricken, and insert "a reasonable fee as determined by the board".

5. On page 8, strike beginning with "the" in line 23 through "options" in line 24, show the old matter as stricken, and insert "a reasonable fee as determined by the board".

6. On page 10, strike beginning with "the" in line 20 through "options" in line 21, show the old matter as stricken, and insert "a reasonable fee as determined by the board".

LEGISLATIVE BILL 676. Indefinitely postponed.

(Signed) Elaine R. Stuhr, Chairperson

MOTION - Approve Appointment

Senator Quandahl moved the adoption of the report of the General Affairs Committee for the following appointment found on page 521: Nebraska Arts Council - Meredith Zutavern.

Voting in the affirmative, 33:

Aguilar	Baker	Beutler	Bourne	Brashear
Bruning	Chambers	Connealy	Coordsen	Crosby
Dickey	Engel	Hilgert	Hudkins	Jones
Kiel	Kremer	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Price	Quandahl	Raikes	Redfield
Schmitt	Schrock	Smith	Stuhr	Suttle
Tyson	Vrtiska	Wehrbein		

Voting in the negative, 0.

Present and not voting, 4:

Cudaback	Jensen	Preister	Thompson

Excused and not voting, 12:

Bohlke	Bromm	Brown	Byars	Dierks
Hartnett	Janssen	Kristensen	Landis	Robak
Schimek	Wickersham			

The appointment was confirmed with 33 ayes, 0 nays, 4 present and not voting, and 12 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 701. Senator Coordsen withdrew his amendment, AM2241, found on page 532 and considered on page 550.

The Standing Committee amendment, AM0719, found on page 938, First Session, 1999, and considered on page 550, was renewed.

The Standing Committee amendment was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 204. Title read. Considered.

Senator Chambers offered the following amendment:
FA286
P. 1, line 2, strike "or indirectly".

The Chambers amendment was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

Senator Beutler asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

ANNOUNCEMENT

The Nebraska Retirement Systems Committee designates LB 1192 and LB 1200 as its priority bills.

AMENDMENT - Print in Journal

Senator Brashear filed the following amendment to LB 626:
AM2273

1. On page 5, line 18, strike "or trade name".
2. On page 7, line 4, after "be" insert "submitted in duplicate and shall be"; and in line 6 after "fee" insert "of one hundred dollars".
3. On page 8, strike line 28 and insert "return the duplicate copy of the application stamped with the filing date to".
4. On page 9, strike beginning with "Any" in line 12 through "secretary" in line 14 and insert "An original, a duplicate original, or a certified copy of an application for trademark which has the file stamp and date of the secretary"; in line 17 after the period insert "Registration of a mark with the secretary shall be prima facie evidence of the right to use the mark shown in the registration on or in connection with class or classes of goods designated in the registration."; in line 19 strike "five" and insert "ten"; in line 23 after "fee" insert "of one hundred dollars"; and in line 25 strike "five" and insert "ten".
5. On page 16, line 6, strike "three times".
6. On page 17, strike beginning with "The" in line 3 through the period in line 5.

STANDING COMMITTEE REPORTS
Education

LEGISLATIVE BILL 26. Placed on General File as amended.
Standing Committee amendment to LB 26:
AM1984

1. On page 2, line 8, after "each" insert "qualified";

in line 10 strike beginning with the first comma through the last comma; and strike beginning with "and" in line 11 through the second "school" in line 12 and insert ". To qualify, a school district shall operate a school lunch program and the district shall have received equalization aid as defined in section 79-1003 in the school fiscal year in which the breakfasts were served".

LEGISLATIVE BILL 1161. Placed on General File as amended.
Standing Committee amendment to LB 1161:
AM2294

1. Insert the following new sections:

"Sec. 3. Section 84-612, Reissue Revised Statutes of Nebraska, is amended to read:

84-612. (1) There is hereby created within the state treasury a fund known as the Cash Reserve Fund which shall be under the direction of the State Treasurer. The fund shall only be used pursuant to this section.

(2) The State Treasurer shall transfer funds from the Cash Reserve Fund to the General Fund upon certification by the Director of Administrative Services that the current cash balance in the General Fund is inadequate to meet current obligations. Such certification shall include the dollar amount to be transferred.

(3) Any transfers made pursuant to subsections (2) and (5) of this section shall be reversed upon notification by the Director of Administrative Services that sufficient funds are available.

(4) On or before August 1, 1994, the State Treasurer shall transfer six million dollars from the Cash Reserve Fund to the Job Training Cash Fund.

(5) The State Treasurer shall transfer funds from the Cash Reserve Fund to the Roads Operations Cash Fund upon certification by the Director of Administrative Services that the current cash balance in the Roads Operations Cash Fund is inadequate to meet current obligations as the result of delayed receipt of federal funds. The certification shall include the dollar amount to be transferred. The authority to transfer funds pursuant to this subsection shall be in effect for the period July 1, 1998, through June 30, 1999.

(6) On or before September 1, 1998, the State Treasurer shall transfer four million five hundred thousand dollars from the Cash Reserve Fund to the General Fund.

~~(7) On or before September 1, 1998, the State Treasurer shall transfer two million dollars from the Cash Reserve Fund to the Reorganized School Assistance Fund.~~

~~(8)~~ (7) On June 15, 1999, the State Treasurer shall transfer twelve million dollars from the Cash Reserve Fund to the General Fund.

~~(9)~~ (8) On or before June 30, 1999, the State Treasurer shall transfer eighty million dollars from the Cash Reserve Fund to the General Fund.

~~(10)~~ (9) On June 15, 2001, the State Treasurer shall transfer twenty-eight million dollars from the Cash Reserve Fund to the General Fund.

~~(11)~~ (10) On August 16, 1999, the State Treasurer shall transfer thirty million dollars from the Cash Reserve Fund to the Relief to Property Taxpayers Cash Fund for the purposes of increased aid to community colleges.

~~(12)~~ (11) On August 16, 2000, the State Treasurer shall transfer thirty-five million dollars from the Cash Reserve Fund to the Relief to Property Taxpayers Cash Fund.

~~(13)~~ (12) On August 1, 2001, the State Treasurer shall transfer thirty-five million dollars from the Cash Reserve Fund to the General Fund for purposes of funding the Tax Equity and Educational date to the General Fund for purposes of funding the Tax Equity and Educational Opportunities Support Act.

Sec. 5. The following section is outright repealed: Section 79-1010.01, Revised Statutes Supplement, 1998.".

2. On page 2, line 10, strike "2001", show as stricken, and inset "2004".

3. On page 7, lines 8 and 9, strike "and 2001-02", show as stricken, and insert "through 2004-05"; strike beginning with "Any" in line 20 through the period in line 23 and show as stricken; and strike beginning with "Reorganized" in line 27 through "the" in line 28 and show as stricken.

4. On page 8, line 2, after "section" insert an underscored period; strike beginning with "for" in line 2 through the period in line 3 and show the old matter as stricken; in line 6 after "of" insert "base fiscal year"; strike beginning with "five" in line 9 through "2001-02" in line 10, show the old matter as stricken, and insert "five million dollars"; in line 12 after "of" insert "such"; and in line 17 strike "2002", show as stricken, and insert "2005".

5. On page 11, line 8, after "Original" insert "section 84-612, Reissue Revised Statutes of Nebraska, and".

6. Renumber the remaining section accordingly.

LEGISLATIVE BILL 896. Indefinitely postponed.

(Signed) Ardyce L. Bohlke, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1004. Placed on General File as amended.
Standing Committee amendment to LB 1004:
AM2239

1. On page 8, line 7, strike "(4)", show as stricken, and insert "(4)(a)".

2. On page 8, line 11; and page 17, line 9, strike "as it", show as stricken, and insert ", or under a law of another state, the United States, or any territory subject to the jurisdiction of the United States which, if the offending act was committed in this state, would be a violation of this section, as such section".

3. On page 8, line 12; and page 17, line 10, after "section" insert "or any conviction under a city or village ordinance enacted pursuant to this section, or under a city or village ordinance enacted pursuant to a law of another state, the United States, or any territory subject to the jurisdiction of the United States which, if the offending act was committed in this state, would be a violation of this section, as such section existed at the time of such conviction regardless of subsequent amendments to such section.

(b) For purposes of this section, (i) the courts shall take judicial notice of the statutes of other states, the United States, and any territory subject to the jurisdiction of the United States and city or village ordinances enacted pursuant to a law of another state, the United States, or any territory subject to the jurisdiction of the United States which define offenses like those described in this section and (ii) any conviction under a law of another state, the United States, or any territory subject to the jurisdiction of the United States or under a city or village ordinance enacted pursuant to a law of another state, the United States, or any territory subject to the jurisdiction of the United States shall constitute a prior conviction if the offending act would have been a violation of this section as it existed at the time of such conviction".

4. On page 17, line 5, strike "(6)", show as stricken, and insert "(6)(a)".

LEGISLATIVE BILL 1027. Placed on General File as amended.
Standing Committee amendment to LB 1027:
AM2256

1. Strike original section 2 and insert the following new section:

"Sec. 2. It is unlawful to use nitrous oxide as a fuel additive in any motor vehicle operated on any highway in this state.".

LEGISLATIVE BILL 1287. Placed on General File as amended.
Standing Committee amendment to LB 1287:
AM2238

1. Strike section 11 and insert the following new section:

"Sec. 17. This act becomes operative on June 1, 2000.".

2. On page 14, line 18; page 16, line 13; and page 17, lines 12 and 18, strike "15" and insert "14".

3. On page 16, line 19, after "vehicle" insert "or any other vehicle designed primarily for off-road use"; and in lines 26 and 28 strike "thirty-five" and insert "thirty".

4. On page 17, line 2, strike "thirty-five" and insert "thirty"; in line 6 after the period insert "Each low-speed vehicle shall be equipped with: Head lamps; front and rear turn signal lamps; tail lamps; stop lamps; one red reflex reflector on each side as far to the rear as practicable and one red reflex reflector on the rear; an exterior mirror mounted on the driver's side of the vehicle and either an exterior mirror mounted on the passenger's side of the vehicle or an interior mirror; a parking brake; a windshield of AS-1 or AS-5 composition that conforms to the American National Standards Institute's Safety Code for Safety Glazing Materials for Glazing Motor Vehicles Operating on Land Highways, Z-26.1 - 1977, January 28, 1977, as supplemented by Z-26.1a, July 3, 1980; a vehicle identification number that conforms to the requirements of 49 C.F.R. part 565; and a type 1 or type 2 seat belt assembly conforming to 49 C.F.R. section 571.209 installed at each designated seating position."; and strike beginning with the comma in line 13 through "vehicle" in line 15.

5. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 1002. Indefinitely postponed.
LEGISLATIVE BILL 1050. Indefinitely postponed.

(Signed) Curt Bromm, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 438. Placed on Select File as amended.
E & R amendment to LB 438:
AM7183

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 49-1401, Revised Statutes Supplement, 1999, is amended to read:

49-1401. Sections 49-1401 to 49-14,141 and section 3 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. Section 49-1458, Revised Statutes Supplement, 1999, is amended to read:

49-1458. (1) A ~~late contribution shall be reported by filing with the filing officer within five days after~~ committee which receives a late contribution shall report the contribution to the commission by filing within two days after the date of its receipt the full name, street address, occupation, employer, and principal place of business of the contributor. The report shall include the amount of the contribution and the date of receipt. Filing of a report of late contributions may be by hand delivery, facsimile transmission, telegraph, express delivery service, or any other written means of communication, including electronic means approved by the commission, and need not contain an original signature. A late contribution shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section. If a campaign statement has not been filed, a late contribution may be reported, if practicable, in the campaign statement and need not be reported in a subsequent campaign statement.

(2) Any ~~person or~~ committee which fails to file a report of late contributions with the commission as required by this section shall pay to the commission a late filing fee of one hundred dollars for each day the report remains not filed not to exceed three thousand dollars or ten percent of the late contribution required to be reported, whichever is greater.

(3) For purposes of this section, late contribution means a contribution as defined in section 49-1415 ~~As used in this section, late contribution shall mean a contribution~~ of one thousand dollars or more received after the closing date ~~of the last campaign statement required to be filed prior to an election~~ for campaign statements as provided in subdivision (1)(b) of section 49-1459.

Sec. 3. (1) An independent committee, including a separate segregated political fund, which makes a late independent expenditure shall report the expenditure to the commission by filing within two days after the date of the expenditure the committee's full name and street address, the amount of the expenditure, and the date of the expenditure. The report shall include (a) the full name and street address of the recipient of the expenditure, (b) the name and office sought of the candidate whose nomination or election is supported or opposed by the expenditure, and (c) the identification of the ballot question, the qualification, passage, or defeat of which is supported or opposed. Filing of a report of a late independent expenditure may be by any written means of communication, including electronic means approved by the commission, and need not contain an original signature. A late independent expenditure shall be reported on subsequent campaign statements without regard to reports filed pursuant to this section.

(2) A committee which fails to file a report of a late independent expenditure with the commission as required by this section shall pay to the commission a late filing fee of fifty dollars for each day the report remains not filed not to exceed one thousand five hundred dollars or ten percent of the late

independent expenditure required to be reported, whichever is greater.

(3) For purposes of this section, late independent expenditure means an independent expenditure as defined in section 49-1428 of five hundred dollars or more made after the closing date for campaign statements as provided in subdivision (1)(b) of section 49-1459.

Sec. 4. Section 49-1463.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-1463.01. A person required to pay a late filing fee imposed under section 32-1604.01, 49-1446.05, 49-1449, 49-1458, 49-1463, 49-1467, 49-1469, or 49-1479.01 or section 3 of this act may apply to the commission for relief. The commission by order may reduce the amount of a late filing fee imposed upon a showing by such person that (1) the circumstances indicate no intent to file late, (2) the person has not been required to pay late filing fees for two years prior to the time the filing was due, (3) the late filing shows that less than five thousand dollars was raised, received, or expended during the reporting period, and (4) a reduction of the late fees would not frustrate the purposes of the Nebraska Political Accountability and Disclosure Act. A person required to pay a late filing fee imposed for failure to file a statement of exemption under subsection (2) of section 49-1459 may apply to the commission for relief. The commission by order may reduce or waive the late filing fee and the person shall not be required to make a showing as provided by this section.

Sec. 5. Original section 49-1463.01, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1458, Revised Statutes Supplement, 1999, are repealed.".

2. On page 1, strike beginning with "sections" in line 2 through line 3 and insert "section 49-1463.01, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1458, Revised Statutes Supplement, 1999; to"; and in line 5 after the first "late" insert "independent".

LEGISLATIVE BILL 482A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following appointments:

Bleicher, Stacie - Health and Human Services System Partnership Council -- Health and Human Services

Coleman, Margaret - Commission for the Deaf and Hard of Hearing -- Health and Human Services

Grewcock, William - Nebraska Environmental Trust Board -- Natural Resources

Moore, Kathy - Health and Human Services System Partnership Council -- Health and Human Services

Ochoa, Ella - Health and Human Services System Partnership Council -- Health and Human Services

Seanor, Esther - Commission for the Deaf and Hard of Hearing -- Health and Human Services

Tighe, Tricia - Commission for the Deaf and Hard of Hearing -- Health and Human Services

Tulipana, Peter - Health and Human Services System Partnership Council -- Health and Human Services

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

AMENDMENT - Print in Journal

Senator Thompson filed the following amendment to LB 652:
(Amendment, AM2267, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

GENERAL FILE

LEGISLATIVE BILL 74. Title read. Considered.

The Standing Committee amendment, AM0740, found on page 950, First Session, 1999, was considered.

SENATOR CUDABACK PRESIDING

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 992A. Introduced by Landis, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 992, Ninety-sixth Legislature, Second Session, 2000.

UNANIMOUS CONSENT - Add Cointroducer

Senator Engel asked unanimous consent to have his name added as cointroducer to LB 1241 and LB 1410. No objections. So ordered.

WITHDRAW - Cointroducers

Senator Baker withdrew his name as cointroducer to LB 1394.

Senator Hudkins withdrew her name as cointroducer to LB 1437.

Senator Stuhr withdrew her name as cointroducer to LB 1394.

STANDING COMMITTEE REPORTS
Government, Military and Veterans Affairs

LEGISLATIVE BILL 1196. Placed on General File.
LEGISLATIVE BILL 1206. Placed on General File.
LEGISLATIVE BILL 1365. Placed on General File.

LEGISLATIVE BILL 1135. Placed on General File as amended.
(Standing Committee amendment, AM2284, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1170. Placed on General File as amended.
(Standing Committee amendment, AM2112, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1190. Placed on General File as amended.
Standing Committee amendment to LB 1190:
AM2114

1. Strike section 1 and insert the following new section:

"Section 1. Section 2-259, Revised Statutes Supplement, 1999, is amended to read:

2-259. Pursuant to a request by a county agricultural society, the county board of any county may levy an additional levy of three and five-tenths cents on each one hundred dollars of taxable valuation, or any part thereof, for the purpose of acquiring an interest in real property to comprise a portion or all of the county fairgrounds or for the purpose of capital construction on and renovation, repair, improvement, and maintenance of the county fairgrounds, over and above the operational tax levy authorized in section 2-257. Such levy shall not exceed the amount actually required for such acquisition or work and ~~. In counties having a population of more than sixty thousand inhabitants but not more than three hundred fifty thousand inhabitants and also containing a city of the primary class, such additional levy or any part thereof may be levied for the purpose of capital construction on and renovation, repair, improvement, and maintenance of the county fairgrounds or the Nebraska State Fairgrounds. The additional levy~~ shall be subject to section 77-3443.".

LEGISLATIVE BILL 1288. Placed on General File as amended.
Standing Committee amendment to LB 1288:
AM2282

1. On page 3, line 11, strike "when" and insert "with the commission within thirty days after"; and in line 16 after the period insert "Proof of any required increase in the amount of the bond shall be filed with the commission within thirty days after each additional five hundred thousand dollars is received or expended.".

2. On page 5, strike beginning with "beginning" in line 13 through "penalty" in line 14; and in line 15 after the period insert "The interest shall begin to accrue thirty days after the commission sends notice to the person of the assessment of the late filing fee or civil penalty. A written request filed with the commission for relief from late filing fees shall stay the accrual of interest on a late filing fee until such time as the commission grants or denies the request.".

LEGISLATIVE BILL 1410. Placed on General File as amended.
Standing Committee amendment to LB 1410:
AM2297

1. On page 2, line 3, strike "six" and insert "five"; in line 4 strike "two" and insert "one"; in lines 10, 11, and 13, before the semicolon insert "or his or her designee"; in line 13 strike "and"; strike beginning with "A" in line 14 through the first "the" in line 15 and insert "The"; and in line 16 after "Nebraska" insert "or his or her designee; and

(f) The executive director of the Commission on Indian Affairs or his or her designee".

LEGISLATIVE BILL 1199. Indefinitely postponed.

(Signed) DiAnna R. Schimek, Chairperson

VISITORS

Visitors to the Chamber were the Paul and Jean Blase family from Hordville.

The Doctor of the Day was Dr. Todd Stuckey from Plattsmouth.

ADJOURNMENT

At 11:02 a.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, February 8, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SECOND DAY - FEBRUARY 8, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 8, 2000

PRAYER

The prayer was offered by Pastor Matthew Culbertson, Southview Baptist Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Bohlke, Byars, Hudkins, Kiel, Kristensen, Landis, Price, Raikes, Schimek, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-first day was approved.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1273A. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1273, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

REPORTS

The following reports were received by the Legislature:

Environmental Quality, Department of
Program #518 - no activity
Small Town Grants Program #523 Semi-annual Report

Geographic Information Systems Steering Committee, Nebraska
Annual Report

Health and Human Services System
Excellence in Health Care Trust Fund Annual Report
Nursing Facility Conversion Grant Program Annual Report

Investment Finance Authority, Nebraska (NIFA)
Community Development Loan Notes (City of Lincoln Program-1999) 1999 Series A-1, A-2, B-1, B-2, C-1, C-2, D-1, and D-2
General Obligation Bonds 1999 Series G.O.-7
State Revolving Fund Revenue Bonds Series 1996
State Revolving Fund Revenue Bonds Series 1998
Single Family Housing Revenue Bonds Series 1998 CDE&F and General Obligation Bonds Series 1998 G.O.-3 Quarterly Report
Single Family Housing Revenue Bonds Series 1999 AB&C and General Obligation Bonds Series 1998 G.O.-5 Quarterly Report
Single Family Housing Revenue Bonds Series 1999 D and General Obligation Bonds Series 1998 G.O.-6 Quarterly Report
Single Family Housing Revenue Bonds Series 1999 E and General Obligation Bonds Series 1998 G.O.-8 Quarterly Report

Roads, Department of
State Highway Commission Quarterly Report

SELECT COMMITTEE REPORTS

Enrollment and Review

LEGISLATIVE BILL 654. Placed on Select File as amended.
(E & R amendment, AM7184, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 654A. Placed on Select File as amended.
E & R amendment to LB 654A:
AM7185

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. There is hereby appropriated (1) $1,420,000 from the State Building Renewal Assessment Fund for FY1999-00 to the Department of Administrative Services, for Program 940 - Task Force for Building Renewal, and (2) $3,010,000 from the State Building Renewal Assessment Fund for FY2000-01 to the Department of Administrative Services, for Program 940 - Task Force for Building Renewal, to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Pursuant to section 81-188.01, funds appropriated in this section shall be expended to conduct renewal work as defined in section 81-173. The Task Force for Building Renewal shall allocate funds appropriated in this section for building renewal projects and shall administer such funds in a manner consistent with the Deferred Building Renewal Act.

The unexpended balance of the State Building Renewal Assessment Fund appropriation contained in subdivision (1) of this section, existing on June 30, 2000, is hereby reappropriated.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 1, line 3, strike "First Session, 1999" and insert "Second Session, 2000".

Correctly Engrossed

The following bills were correctly engrossed: LBs 55, 151, 482, and 729.

Enrollment and Review Change to LB 482

The following changes, required to be reported for publication in the Journal, have been made:

ER9112

1. In the E & R amendments, AM7177, on page 2, line 7, "words" has been struck and "wards" inserted.

Enrollment and Review Change to LB 729

The following changes, required to be reported for publication in the Journal, have been made:

ER9113

1. On page 1, line 2, ", 32-1408," has been struck.

(Signed) Adrian M. Smith, Chairperson

MOTION - Approve Appointment

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointment found on page 546: Motor Vehicles, Director - Beverly Neth.

Voting in the affirmative, 33:

Aguilar	Baker	Bourne	Bromm	Brown
Bruning	Chambers	Connealy	Coordsen	Crosby
Cudaback	Dickey	Dierks	Engel	Hartnett
Hilgert	Jensen	Jones	Kremer	Lynch
Matzke	Pedersen, Dw.	Pederson, D.	Quandahl	Raikes

Redfield Schmitt Schrock Smith Suttle
Tyson Vrtiska Wehrbein

Voting in the negative, 0.

Present and not voting, 7:

Beutler Brashear Janssen Preister Robak
Stuhr Thompson

Excused and not voting, 9:

Bohlke Byars Hudkins Kiel Kristensen
Landis Price Schimek Wickersham

The appointment was confirmed with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

UNANIMOUS CONSENT - Member Excused

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

RESOLUTIONS

LEGISLATIVE RESOLUTION 295. Read. Considered.

LR 295 was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

LEGISLATIVE RESOLUTION 296. Read. Considered.

LR 296 was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 183. Indefinitely postponed.
LEGISLATIVE BILL 365. Indefinitely postponed.
LEGISLATIVE BILL 453. Indefinitely postponed.
LEGISLATIVE BILL 502. Indefinitely postponed.
LEGISLATIVE BILL 535. Indefinitely postponed.
LEGISLATIVE BILL 657. Indefinitely postponed.
LEGISLATIVE BILL 667. Indefinitely postponed.
LEGISLATIVE BILL 677. Indefinitely postponed.
LEGISLATIVE BILL 1339. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

GENERAL FILE

LEGISLATIVE BILL 74. The Standing Committee amendment, AM0740, found on page 950, First Session, 1999, and considered on page 571, was renewed.

The Standing Committee amendment was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Senator Beutler offered the following amendment:
AM2315

1. Strike original section 2 and insert the following new sections:

"Sec. 2. Section 60-688, Reissue Revised Statutes of Nebraska, is amended to read:

60-688. Prosecutions for violations declared by the Nebraska Rules of the Road to be misdemeanors or felonies shall be conducted and disposed of in the same manner as provided for such prosecutions under the laws of this state, and traffic infractions shall be treated in the same manner as misdemeanors, except as otherwise provided by law.

Sec. 3. Original sections 60-672 and 60-688, Reissue Revised Statutes of Nebraska, are repealed.".

The Beutler amendment was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

LEGISLATIVE RESOLUTION 20CA. Read. Considered.

SPEAKER KRISTENSEN PRESIDING

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 900. Title read. Considered.

Senators Kremer, Jensen, Wehrbein, and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

The Standing Committee amendment, AM2082, found on page 391, was

adopted with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

Pending.

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

LB 1225	Wednesday, February 16, 2000 (cancel)	1:30 p.m.
LB 1225	Thursday, February 24, 2000 (reschedule)	1:30 p.m.
LB 1300	Wednesday, February 16, 2000 (cancel)	1:30 p.m.
LB 1300	Thursday, February 24, 2000 (reschedule)	1:30 p.m.
LB 1408	Wednesday, February 16, 2000 (cancel)	1:30 p.m.
LB 1408	Thursday, February 24, 2000 (reschedule)	1:30 p.m.

Thursday, February 17, 2000 1:30 p.m.
Health and Human Services, Policy Secretary
Chris Peterson

(Signed) Jim Jensen, Chairperson

Judiciary

LB 971	Wednesday, February 16, 2000	1:30 p.m.
LB 993	Wednesday, February 16, 2000	1:30 p.m.
LB 1035	Wednesday, February 16, 2000	1:30 p.m.
LB 1102	Wednesday, February 16, 2000	1:30 p.m.
LB 1142	Wednesday, February 16, 2000 (Reschedule)	1:30 p.m.
LB 1422	Wednesday, February 16, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

STANDING COMMITTEE REPORT
Business and Labor

The Business and Labor Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Commission of Industrial Relations
William Blake
G. Pete Burger

VOTE: Aye: Senators Vrtiska, Hilgert, Preister, Redfield, and Schimek. Nay: None. Absent: Senator Dierks.

(Signed) Floyd P. Vrtiska, Chairperson

MOTION - Print in Journal

Senator Vrtiska filed the following motion:
Permit the introduction of new bills by the Business and Labor Committee (Req. 2098 and Req. 2099).

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 966. Placed on General File.

LEGISLATIVE BILL 1013. Placed on General File as amended.
Standing Committee amendment to LB 1013:
AM2249

1. On page 2, after line 17 insert:
"The changes made to this section by this legislative bill shall apply to causes of action accruing on and after the effective date of this act.".

LEGISLATIVE BILL 94. Indefinitely postponed.
LEGISLATIVE BILL 98. Indefinitely postponed.
LEGISLATIVE BILL 190. Indefinitely postponed.
LEGISLATIVE BILL 222. Indefinitely postponed.
LEGISLATIVE BILL 343. Indefinitely postponed.
LEGISLATIVE BILL 633. Indefinitely postponed.

(Signed) Kermit A. Brashear, Chairperson

Agriculture

LEGISLATIVE BILL 1052. Placed on General File as amended.
Standing Committee amendment to LB 1052:
AM2261

1. Strike the original sections and insert the following new sections:
"Section 1. (1) Any person who operates a dairy operation located within the brand inspection area may make application to the Nebraska Brand Committee for registration as a registered dairy. The application form shall be prescribed by the brand committee and shall be made available by the director of the brand committee for this purpose upon written request. If the applicant is an individual, the application shall include the applicant's social security number. After the brand committee has received a properly completed application, an agent of the brand committee shall within thirty days make an investigation to determine if the following requirements are satisfied:
(a) The operator's dairy must be permanently fenced; and
(b) The operator must identify each animal individually as directed by the Nebraska Brand Committee.

If the application is satisfactory, and upon payment of a registration fee by the applicant, the brand committee shall issue a registration number and registration certificate valid for one year unless rescinded for cause. If the registration is rescinded for cause, any registration fee shall be forfeited by the applicant. The fee for a registered dairy shall be not less than one hundred dollars nor more than six hundred fifty dollars for each such registered dairy having one thousand head or less capacity and an equal amount for each additional one thousand head capacity, or part thereof, of such registered dairy. The brand committee shall set the fee per one thousand head capacity so as to correspond with the inspection fee provided under section 54-1,108. The registration fee shall be paid on an annual basis.

(2) The brand committee may adopt and promulgate rules and regulations for the operation of registered dairies to assure that brand laws are complied with, that registered dairy shipping certificates are available, and that proper records are maintained. This section shall not be construed as prohibiting the operation of nonregistered dairies.

(3) A registered dairy is subject to inspection at any reasonable time at the discretion of the brand committee and its authorized agents, and the operator shall show cattle purchase records or certificates of inspection to cover all cattle in his or her dairy. Cattle having originated from any such registered dairy may from time to time, at the discretion of the committee, be subject to a spot-check inspection and audit at the destination to enable the brand committee to assure satisfactory compliance with the brand laws by the registered dairy operator.

(4) The operator of a registered dairy shall keep cattle inventory records. A form for such purpose shall be prescribed by the brand committee. The brand committee and its employees may from time to time make spot checks and audits of registered dairies and the records of cattle in such registered dairies.

(5) The brand committee may rescind or suspend the registration of any registered dairy operator who fails to cooperate or violates the laws or rules and regulations of the brand committee covering registered dairies.

Sec. 2. (1) Cattle sold or shipped from a registered dairy, for purposes other than direct slaughter or sale on any terminal market, are subject to the brand inspection under sections 54-1,110 to 54-1,119 and the seller or shipper shall bear the cost of such inspection at the regular fee.

(2) Any other cattle shipped from a registered dairy are not subject to brand inspection at origin or destination, but the shipper must have a shipping certificate from the registered dairy. The shipping certificate form shall be prescribed by the Nebraska Brand Committee and shall show the registered dairy operator's name, registration number, date shipped, destination, agency receiving the cattle, number of head in the shipment, and sex. The

shipping certificate shall be completed in triplicate by the registered dairy operator at the time of shipment, and one copy thereof shall be delivered to the brand inspector at the market along with shipment, if applicable, one copy shall be sent to the brand committee by the tenth day of the following month, and one copy shall be retained by the registered dairy operator. If a shipping certificate does not accompany a shipment of cattle from a registered dairy to any destination where brand inspection is maintained by the brand committee, all such cattle are subject to a brand inspection and inspection fees shall be charged for the service.

(3) Any cattle originating in a state that has a brand inspection agency and which are accompanied by a certificate of inspection or brand clearance issued by such agency may be moved directly from the point of origin into a registered dairy. Any cattle not accompanied by such a certificate of inspection or brand clearance or by satisfactory evidence of ownership from states or portions of states not having brand inspection shall be inspected for brands by the Nebraska Brand Committee within a reasonable time after arrival at a registered dairy, and the inspection fee provided under section 54-1,108 shall be collected by the brand inspector at the time the inspection is performed.

Sec. 3. Section 54-170, Revised Statutes Supplement, 1999, is amended to read:

54-170. Sections 54-170 to 54-1,127 and sections 1 and 2 of this act shall be known and may be cited as the Livestock Brand Act.

Sec. 4. Section 54-198, Revised Statutes Supplement, 1999, is amended to read:

54-198. (1) Any person having livestock may record a brand, which he or she has the exclusive right to use in this state, and it is unlawful to use any brand for branding any livestock unless the person using such brand has recorded that brand with the Nebraska Brand Committee.

(2) After January 1, 1962, only a hot iron brand shall be used to brand a live animal. A freeze brand or hot iron brand may be used for in-herd identification purposes such as for year or production records. With respect to hot iron brands used for in-herd identification, the numerals 0, 1, 2, 3, 4, 5, 6, 7, 8, and 9 in singular or triangular position are reserved on both the right and left shoulder of all cattle, except that such shoulder location for a single-number hot iron brand may be used for year branding for in-herd identification purposes, and an alphabetical letter may be substituted for one of the numerals used in a triangular configuration for in-herd identification purposes. The in-herd identification brand shall be used in conjunction with the recorded brand and shall be on the same side of the animal as the recorded brand. Freeze branding for in-herd identification may be applied in any location and any configuration with any combination of

numerals or alphabetical letters.

(3) It shall be unlawful to knowingly maintain a herd containing one or more animals which the possessor has branded, or caused to be branded, in violation of this section or any other provision of the Livestock Brand Act.

Sec. 5. Section 54-1,110, Revised Statutes Supplement, 1999, is amended to read:

54-1,110. (1) Except as provided in subsections (2) and (3) of this section, no person shall move, in any manner, cattle from a point within the brand inspection area to a point outside the brand inspection area unless such cattle first have a brand inspection by the Nebraska Brand Committee and a certificate of inspection is issued. A copy of such certificate shall accompany the cattle and shall be retained by all persons moving such cattle as a permanent record.

(2) Cattle in a registered feedlot registered ~~pursuant to~~ under sections 54-1,120 to 54-1,122 or a registered dairy registered under sections 1 and 2 of this act are not subject to the brand inspection of subsection (1) of this section. Possession by the shipper or trucker of a shipping certificate from the registered feedlot constitutes compliance if the cattle being shipped are as represented on such shipping certificate.

(3) If the line designating the brand inspection area divides a farm or ranch or lies between noncontiguous parcels of land which are owned or operated by the same cattle owner or owners, a permit may be issued, at the discretion of the Nebraska Brand Committee, to the owner or owners of cattle on such farm, ranch, or parcels of land to move the cattle in and out of the brand inspection area without inspection. If the line designating the brand inspection area lies between a farm or ranch and nearby veterinary medical facilities, a permit may be issued, at the discretion of the brand committee, to the owner or owners of cattle on such farm or ranch to move the cattle in and out of the brand inspection area without inspection to obtain care from the veterinary medical facilities. The brand committee shall issue initial permits only after receiving an application which includes an application fee of ten dollars. The brand committee shall mail all current permitholders an annual renewal notice, for January 1 renewal, which requires a renewal fee of ten dollars. If the permit conditions still exist, the cattle owner or owners may renew the permit.

(4) No person shall sell any cattle knowing that the cattle are to be moved, in any manner, in violation of this section. Proof of shipment or removal of the cattle from the brand inspection area by the buyer or his or her agent is prima facie proof of knowledge that sale was had for removal from the brand inspection area.

(5) In cases of prosecution for violation of this section, venue may be established in the county of origin or any

other county through which the cattle may pass in leaving the brand inspection area.

Sec. 6. Section 54-1,111, Revised Statutes Supplement, 1999, is amended to read:

54-1,111. (1) Except as provided in subsection (2) of this section, no person shall sell or trade any cattle located within the brand inspection area, nor shall any person buy or purchase any such cattle unless the cattle have been inspected for brands and ownership and a certificate of inspection or brand clearance has been issued by the Nebraska Brand Committee. Any person selling such cattle shall present to the brand inspector a properly executed bill of sale, brand clearance, or other satisfactory evidence of ownership which shall be filed with the original certificate of inspection in the records of the brand committee. Any time a brand inspection is required by law, a brand investigator or brand inspector may transfer evidence of ownership of such cattle from a seller to a buyer by issuing a certificate of inspection.

(2) A brand inspection is not required:

(a) For cattle of a registered feedlot registered under sections 54-1,120 to 54-1,122 shipped for direct slaughter or sale on any terminal market;

(b) For cattle of a registered dairy registered under sections 1 and 2 of this act shipped for direct slaughter or sale on any terminal market;

(c) ~~(b)~~ For cattle that are transferred to a family corporation when all the shares of capital stock of the corporation are owned by the husband, wife, children, or grandchildren of the transferor and there is no consideration for the transfer other than the issuance of stock of the corporation to such family members;

(d) ~~(c)~~ When the change of ownership of cattle is a change in form only and the surviving interests are in the exact proportion as the original interests of ownership. When there is a change of ownership described in subdivision ~~(2)(b) or (c)~~ (2)(c) or (d) of this section, an affidavit, on a form prescribed by the Nebraska Brand Committee, signed by the transferor and stating the nature of the transfer and the number of cattle involved and the brands presently on the cattle, shall be filed with the brand committee;

(e) ~~(d)~~ For cattle sold or purchased for educational or exhibition purposes or other recognized youth activities if a properly executed bill of sale is exchanged and presented upon demand. Educational or exhibition purpose means cattle sold or purchased for the purpose of being fed, bred, managed, or tended in a program designed to demonstrate or instruct in the use of various feed rations, the selection of individuals of certain physical conformation or breeds, the measurement and recording of rate of gain in weight or fat content of meat or milk produced, or the preparation of cattle for the purpose of exhibition or for judging as to quality and conformation;

(f) ~~(e)~~ For calves under the age of thirty days sold or purchased at private treaty if a bill of sale is exchanged and presented upon demand; and

(g) ~~(f)~~ For purebred cattle raised by the seller and individually registered with an organized breed association if a properly executed bill of sale is exchanged and presented upon demand.

Sec. 7. Section 54-1,121, Revised Statutes Supplement, 1999, is amended to read:

54-1,121. Cattle sold or shipped from a registered feedlot, for purposes other than direct slaughter or sale on any terminal market, are subject to the brand inspection under sections 54-1,110 ~~and~~ to 54-1,119, and the seller or shipper shall bear the cost of such inspection at the regular fee.

Any other cattle shipped from a registered feedlot are not subject to brand inspection at origin or destination, but the shipper must have a shipping certificate from the registered feedlot. The shipping certificate form shall be prescribed by the Nebraska Brand Committee and shall show the registered feedlot operator's name, registration number, date shipped, destination, agency receiving the cattle, number of head in the shipment, and sex. The shipping certificate shall be completed in triplicate by the registered feedlot operator at the time of shipment, and one copy thereof shall be delivered to the brand inspector at the market along with shipment, if applicable, one copy shall be sent to the brand committee by the tenth day of the following month, and one copy shall be retained by the registered feedlot operator. If a shipping certificate does not accompany a shipment of cattle from a registered feedlot to any destination where brand inspection is maintained by the brand committee, all such cattle shall be subject to a brand inspection and inspection fees shall be charged for the service.

Sec. 8. Section 54-1185, Revised Statutes Supplement, 1999, is amended to read:

54-1185. Inspection provided for in sections 54-1183 to 54-1185 shall be conducted in the manner established by the Livestock Brand Act. The owner or operator making such election ~~shall~~ may be required to guarantee to the Nebraska Brand Committee that inspection fees derived from such livestock auction market or packing plant will be sufficient, in each ~~six-month~~ twelve-month period, to pay the per diem and mileage of the inspectors required and that he or she will reimburse the committee for any deficit incurred in any such ~~six-month~~ twelve-month period. Such guarantee shall be secured by a corporate surety bond, to be approved by the Secretary of State, in a penal sum to be established by the Nebraska Brand Committee.

Sec. 9. Section 54-2014, Revised Statutes Supplement, 1999, is amended to read:

54-2014. Inspection provided for in this section and sections 54-2012 and 54-2013 shall be conducted in the manner established by the Livestock Brand Act. The livestock market operator making such election ~~shall~~ may be required to guarantee to the Nebraska Brand Committee that inspection fees derived from such livestock market shall be sufficient, in each ~~six-month~~ twelve-month period, to pay the per diem and mileage of the inspectors required and that he or she will reimburse the committee for any deficit incurred in any such ~~six-month~~ twelve-month period. Such guarantee shall be secured by a corporate surety bond, to be approved by the Secretary of State, in a penal sum to be established by the Nebraska Brand Committee.

Sec. 10. Original sections 54-170, 54-198, 54-1,110, 54-1,111, 54-1,121, 54-1185, and 54-2014, Revised Statutes Supplement, 1999, are repealed.

Sec. 11. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) Merton L. Dierks, Chairperson

Business and Labor

LEGISLATIVE BILL 915. Placed on General File.
LEGISLATIVE BILL 1310. Placed on General File.
LEGISLATIVE BILL 1424. Placed on General File.

(Signed) Floyd P. Vrtiska, Chairperson

GENERAL FILE

LEGISLATIVE BILL 900. Senator Beutler offered the following amendment:
AM2300

1. On page 4, line 28, strike "except to" and insert "subject to the approval of the Nebraska Natural Resources Commission as specifically provided by law.".

2. On page 5, strike lines 1 through 3; in line 17 strike "except as"; and in line 18 strike the new matter.

3. On page 17, strike line 3, and insert "department shall adopt and promulgate rules and regulations subject to the approval of the commission for the"; in lines 5 and 23 strike "commission" and insert "department"; and in line 7 strike "commission", show as stricken, and insert "department".

4. On page 18, line 8, strike "commission", show as stricken, and insert "department"; and strike beginning with "perform" in line 27 through line 28 and insert "approve the rules and regulations of the department as specifically required by law. The commission shall have no other powers and duties.".

5. On page 19, strike lines 1 and 2 and show the old matter as stricken.

6. On page 23, line 14, strike "commission" and insert "department"; and in line 16 after "Fund" insert "subject to the approval of the commission".

7. On page 24, line 7, strike "commission", show as stricken, and insert "department"; in line 13 strike ", with commission approval," and show as stricken.

8. On page 25, line 3, strike "and the"; in line 4 strike "commission" and show as stricken; and in line 21 strike "commission" and insert "department".

9. On page 27, line 19, strike "commission" and insert "department".

10. On page 28, line 11, strike the new matter.

11. On page 29, lines 5, 7, 9, and 16, strike "commission" and insert "department"; and in line 7 after "Fund" insert "subject to the approval of the commission".

12. On page 30, line 1, strike the underscored comma; and in line 2 strike the new matter.

Senator Beutler withdrew his amendment.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler offered the following amendment:
AM2299

1. On page 19, strike beginning with "members" in line 23 through the first comma in line 26, show as stricken, and insert "additional members who are representative of water users, of which".

2. On page 20, strike lines 1 through 19, show the old matter as stricken, and insert the following new subsection:

"(3) The members of the commission shall be appointed by the Governor, subject to the confirmation of the Legislature, and shall serve for four-year terms. The members serving on the operative date of this act shall continue in office for the remainder of their terms. The members serving at the pleasure of the Governor on the operative date of this act shall continue in office until the third Thursday after the first Tuesday in January 2001. Any vacancy shall be filled by the Governor for the remainder of the term. The terms of the members shall begin on the third Thursday after the first Tuesday in odd-numbered years.".

Senator Beutler withdrew his amendment.

Senator Beutler offered the following amendment:
AM2289

1. Insert the following new sections:

"Sec. 246. Section 66-1345, Revised Statutes Supplement, 1999, is amended to read:

66-1345. (1) There is hereby created the Ethanol Production Incentive Cash Fund which shall be used by the board to pay the credits created in section 66-1344 to the extent provided in this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. The State Treasurer shall transfer to the Ethanol Production Incentive Cash Fund such money as shall be (a) appropriated to the Ethanol Production Incentive Cash Fund by the Legislature, (b) given as gifts, bequests, grants, or other contributions to the Ethanol Production Incentive Cash Fund from public or private sources, (c) made available due to failure to fulfill conditional requirements pursuant to investment agreements entered into prior to April 30, 1992, (d) received as return on investment of the Ethanol Authority and Development Cash Fund, (e) ~~credited to the Ethanol Production Incentive Cash Fund from the fertilizer fee pursuant to section 77-4401, (f)~~ credited to the Ethanol Production Incentive Cash Fund from the excise taxes imposed by section 66-1345.01, and ~~(g)~~ (f) credited to the Ethanol Production Incentive Cash Fund pursuant to section 66-1345.04.

(2) The Department of Revenue shall, at the end of each calendar month, notify the State Treasurer of the amount of motor fuel tax that was not collected in the preceding calendar month due to the credits provided in section 66-1344. The State Treasurer shall transfer from the Ethanol Production Incentive Cash Fund to the Highway Trust Fund an amount equal to such credits less the following amounts:

(a) For 1993, 1994, and 1995, the amount generated during the calendar quarter by a one-cent tax on motor fuel pursuant to sections 66-489, 66-668, and 66-6,107;

(b) For 1996, the amount generated during the calendar quarter by a three-quarters-cent tax on motor fuel pursuant to such sections;

(c) For 1997, the amount generated during the calendar quarter by a one-half-cent tax on motor fuel pursuant to such sections; and

(d) For 1998 through 2004, no reduction.

The amounts shall be transferred through June 30, 2004. For 1993 through 1997, if the amount generated pursuant to subdivisions (a), (b), and (c) of this subsection and the amount transferred pursuant to subsection (1) of this section are not sufficient to fund the credits provided in section 66-1344, then the credits shall be funded through the Ethanol Production Incentive Cash Fund but shall not be funded through either the Highway Cash Fund or the Highway Trust Fund. For 1998 through 2004, the credits provided in such section shall be funded through the Ethanol Production Incentive Cash Fund but shall not be funded through either the Highway Cash Fund or the Highway Trust Fund.

(3) The State Treasurer shall transfer from the Ethanol Production Incentive Cash Fund to the Management Services Expense Revolving Fund the amount reported under subsection (4) of section 66-1345.02 for each calendar month of the fiscal year as provided in such subsection.

(4) The board shall monitor all receipts to and reimbursements from the Ethanol Production Incentive Cash Fund and notify the Department of Revenue prior to the beginning of the fiscal year in which the board projects that there will be insufficient funds available within the fund to satisfy all valid ethanol production credit claims submitted pursuant to section 66-1344.

(5) On June 30, 2004, the State Treasurer shall transfer one-half of the unexpended and unobligated funds from the Ethanol Production Incentive Cash Fund to the Nebraska Corn Development, Utilization, and Marketing Fund and Grain Sorghum Development, Utilization, and Marketing Fund in the same proportion as funds were collected pursuant to section 66-1345.01 from corn and grain sorghum. The Department of Agriculture shall assist the State Treasurer in determining the amounts to be transferred to the funds. The remaining one-half of the unexpended and unobligated funds shall be transferred to the General Fund.

Sec. 247. Section 77-4401, Reissue Revised Statutes of Nebraska, is amended to read:

77-4401. (1) ~~Through December 31, 1996, there~~ There shall be imposed a fee of ~~four dollars~~ one dollar per ton upon the gross tonnage of all sales, use, or other consumption in this state of commercial fertilizers. ~~, and commencing January 1, 1997, through December 31, 2000, there shall be imposed a fee of one dollar per ton upon such gross tonnage.~~ The fee shall be paid by the purchaser of the commercial fertilizer. Any commercial fertilizer subject to the sales and use tax pursuant to the Nebraska Revenue Act of 1967 shall be exempt from the fee imposed by this section. For purposes of this section, the definitions found in section 81-2,162.02 shall apply.

(2) The fee imposed by this section shall be collected by the seller and remitted to the Department of Revenue for credit to ~~the Ethanol Production Incentive Cash Fund through December 31, 1996, and to~~ the Natural Resources Enhancement Fund ~~on and after January 1, 1997,~~ based on the gross tonnage of commercial fertilizers sold during the preceding period. Payment of the fee shall be accompanied by a report setting forth the gross tonnage of commercial fertilizers sold by the seller. The report shall be on a form prescribed by the Department of Revenue and shall include such other information as the Tax Commissioner deems necessary. The provisions of the Nebraska Revenue Act of 1967 applicable to sales and use taxes shall apply to imposition of the fee.

(3) For purposes of this section, gross tonnage shall not

include water and other carriers added by the retail seller of the fertilizer and shall not include sales of packages of fertilizers containing ten pounds or less.

(4) ~~Any person who purchased commercial fertilizer prior to May 1, 1993, and paid a fee greater than three dollars per ton shall be entitled to a refund of the amount paid in excess of three dollars per ton.~~

~~(5)~~ The Tax Commissioner shall adopt and promulgate rules and regulations to carry out this section.".

2. On page 259, line 15, after "66-1105," insert "77-4401,"; and in line 20 after the third comma insert "66-1345,".

3. Renumber the remaining sections accordingly.

Senator Beutler withdrew his amendment.

Advanced to E & R for review with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 900A. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1258. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 659. Title read. Considered.

Senator Lynch renewed his pending amendment, AM0445, found on page 996, First Session, 1999.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

The Lynch amendment was adopted with 27 ayes, 4 nays, 16 present and not voting, and 2 excused and not voting.

Senator Lynch withdrew his amendment, AM1981, found on page 283.

Advanced to E & R for review with 25 ayes, 5 nays, 17 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 659A. Title read. Considered.

Advanced to E & R for review with 26 ayes, 0 nays, 22 present and not voting, and 1 excused and not voting.

MOTION - Suspend Rules

Senator Bromm moved to suspend the rules, Rule 3, Sec. 13, to permit cancellation of a public hearing for a gubernatorial appointment.

The Bromm motion to suspend the rules prevailed with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Monday, February 14, 2000 (cancel) 1:00 p.m.
Nebraska Transit and Rail Advisory Council
Greg Wright

(Signed) Curt Bromm, Chairperson

MESSAGES FROM THE GOVERNOR

February 7, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Please withdraw Greg Wright's name from the confirmation for the Nebraska Rail & Transit Advisory Council on Monday, February 14, 2000, at the Transportation and Telecommunications Committee hearing due to his resignation.

Thank you.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

February 7, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Nebraska Transit and Rail Advisory Council:

APPOINTEE:
Roberto Munguia, R R 1 Box 132B, Raymond NE 68428

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative appointment:

Munguia, Roberto - Nebraska Transit and Rail Advisory Council -- Transportation and Telecommunications

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 701. Placed on Select File as amended.
E & R amendment to LB 701:
AM7186

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 37-303, Revised Statutes Supplement, 1999, is amended to read:

37-303. (1) With the consent of the Governor, the commission may by purchase, when funds on hand or appropriated therefor are sufficient, or by gift, devise, or otherwise acquire title in the name of the State of Nebraska to sites situated outside organized municipalities, except as provided in section 90-404, for additional state parks, hatcheries, recreation grounds, state recreational trails, wildlife management areas, captive wildlife facilities, and public shooting grounds and may enter into appropriate contracts with reference thereto, all within the limits of amounts that may be appropriated, contributed, or available. For these purposes, the commission may enter into appropriate contracts, leases, or lease-purchase agreements.

(2) The commission, with the consent of the Governor, may take, receive, and hold, either in the name of the state or in trust for the state, exempt from taxation, any grant or devise of lands and any gift or bequest of money or other personal property made in furtherance of the purposes contemplated by this section and shall have such funds or the proceeds of such property invested. Such invested funds shall be deposited, used, and expended under the direction of the commission.

(3) The commission may make a survey of all lands and areas in the state which are suitable for state parks, game refuges, or other similar purposes contemplated by this section and may locate and designate any or all of such lands or areas or parts thereof and take such action as may tend to preserve or conserve them. The commission shall publish such informational material as it deems necessary and may, at its discretion, charge appropriate fees therefor.

Sec. 2. Section 37-1007, Reissue Revised Statutes of Nebraska, is amended to read:

37-1007. Whenever abandoned railroad right-of-way trails are developed pursuant to the Trail Development Assistance Act, boundary fences shall be constructed and maintained as required ~~for railroads in sections 74-601 to 74-604~~ under section 37-1012 unless such construction and maintenance is waived in writing by affected adjoining property owners. Such fences shall be deemed to be manifestly designed to exclude intruders for the purposes of subdivision (1)(c) of section 28-521.

Sec. 3. Section 37-1011, Reissue Revised Statutes of Nebraska, is amended to read:

37-1011. If any portions of the right-of-way accepted under section 37-912 or 37-914 are not immediately developed as a state recreational trail or for habitat, the Game and Parks Commission shall use its best efforts to lease undeveloped portions of the right-of-way, with first priority to adjacent landowners, for the purposes stated in section 37-912 or 37-914 or for other purposes which are not inconsistent with the purposes of section 37-912 or 37-914 until such time as a state recreational trail or habitat may be developed. Any lease or use allowed shall be subject to all prescriptions of the National Trails System Act.

Sec. 4. Section 37-1012, Reissue Revised Statutes of Nebraska, is amended to read:

37-1012. (1) The Game and Parks Commission shall have the same responsibility with regard to division fences as a private landowner as provided in sections 34-101 to 34-117, except that in those areas where a state recreational trail is developed, the commission shall have the same responsibility as a railroad as provided in sections 74-601 to 74-604 where a single landowner's property is divided by a state recreational trail. In areas where a state recreational trail does not divide a single landowner's property, the commission shall be responsible for one hundred percent of the construction or replacement cost and the landowner shall be responsible for all of the maintenance of the fence, but the type of fence required under section 74-601 shall not be required for those areas where a state recreational trail is developed. In such areas the type of fence may be (a) wire fence of at least four barbed wires, of a size not less than twelve and one-half gauge fencing wire, to be secured to posts, the posts to be at no greater distance than one rod from each other or (b) a fence of any type that is agreed to by the commission and adjoining landowner. Before the commission may construct any division fence described in this section, the landowner shall file a written request for the construction of such fence with the commission.

(2) The cost-share responsibility of the commission for division fences shall not exceed the amount appropriated to the commission by the Legislature for such purpose during any biennium, except that the commission may use any funds specifically gifted or obtained by grant application to the commission the sole purpose of which is to provide division fencing for a state recreational trail.

(3) The commission shall adopt and promulgate rules and regulations to carry out this section.

Sec. 5. Section 37-1013, Reissue Revised Statutes of Nebraska, is amended to read:

37-1013. If the right-of-way or any portion thereof is used as a state recreational trail pursuant to sections 37-912 and 37-1011, appropriate sanitary facilities shall be provided along the trail for the use of persons using the trail. Camping or open fires shall be prohibited on such right-of-way or portion thereof.

Sec. 6. Section 37-1014, Reissue Revised Statutes of Nebraska, is amended to read:

37-1014. If the right-of-way or portion thereof is used as a state recreational trail or for other purposes as provided in sections 37-912 and 37-1011, the Game and Parks Commission shall adopt and promulgate rules and regulations to carry out the purposes of sections 37-912 and 37-1010 to 37-1013.

Sec. 7. Original sections 37-1007 and 37-1011 to 37-1014, Reissue Revised Statutes of Nebraska, and section 37-303, Revised Statutes Supplement, 1999, are repealed.".

2. On page 1, strike beginning with line 2 through the semicolon in line 3 and insert "37-1007 and 37-1011 to 37-1014, Reissue Revised Statutes of Nebraska, and section 37-303, Revised Statutes Supplement, 1999;"; and in line 5 after "responsibilities" insert "and construction".

LEGISLATIVE BILL 204. Placed on Select File as amended.
E & R amendment to LB 204:
AM7187

1. Strike original section 1 and all amendments thereto and insert the following new section:

"Section 1. A state agency or political subdivision shall not directly require a law enforcement officer employed by the state agency or political subdivision to issue a certain number or percentage of traffic citations, police citations, memoranda of traffic violations, memoranda of faulty equipment, or any other type of citation on any periodic basis. The purpose of this section is to prohibit all types of ticket quota requirements for law enforcement officers. For purposes of this section, law enforcement officer includes peace officers as defined in section 49-801 and conservation officers of the Game and Parks Commission.".

(Signed) Adrian M. Smith, Chairperson

NOTICE OF COMMITTEE HEARING
Natural Resources

Wednesday, February 16, 2000 1:30 p.m.
Nebraska Environmental Trust Board
William Grewcock

(Signed) Edward J. Schrock, Chairperson

ANNOUNCEMENTS

The Business and Labor Committee designates LB 953 and LB 1221 as its priority bills.

Senator Raikes designates LB 715 as his priority bill.

AMENDMENT - Print in Journal

Senator Schmitt filed the following amendment to LB 901:
AM2141

(Amendments to Standing Committee amendments, AM2083)

1. Insert the following new section:

"Sec. 3. Section 46-538, Reissue Revised Statutes of Nebraska, is amended to read:

46-538. ~~Each member of the board shall receive as compensation for his or her service such sum as shall be ordered by the department not in excess of the sum of five hundred dollars per annum, payable monthly, and~~ Each director shall receive from the board a per diem of not to exceed seventy dollars per day for each day that such director attends a board meeting or is engaged in matters concerning the district, but no director shall receive more than two thousand eight hundred dollars in any one year. Each director shall also be entitled to any necessary traveling expenses actually expended while engaged in the performance of his or her duties as provided in sections 81-1174 to 81-1177. ~~for state~~

~~employees.~~".

2. On page 6, line 5, after the first comma insert "46-538,".

3. Renumber the remaining sections accordingly.

UNANIMOUS CONSENT - Add Cointroducers

Senator Schimek asked unanimous consent to have her name added as cointroducer to LB 1004. No objections. So ordered.

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1044. No objections. So ordered.

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 1026. No objections. So ordered.

Senator Dickey asked unanimous consent to have his name added as cointroducer to LB 1348. No objections. So ordered.

WITHDRAW - Cointroducer

Senator Smith withdrew his name as cointroducer to LB 1234 and LB 1394.

VISITORS

Visitors to the Chamber were students from Creighton University School of Pharmacy and University of Nebraska Medical Center School of Pharmacy; Fred Mattix, Brian Phares, and John Gale from North Platte; 19 members of LEAD Class, Agricultural Leadership Program from across the state; Senator Robak's grandson, Duncan Robak, 51 fourth grade students, and teachers from Eagle Elementary School; 47 Family and Consumer Science teachers and students; and former Senator Owen Elmer from Indianola.

The Doctor of the Day was Dr. Tim Dalton from Lincoln.

ADJOURNMENT

At 11:49 a.m., on a motion by Senator Quandahl, the Legislature adjourned until 9:00 a.m., Wednesday, February 9, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

TWENTY-THIRD DAY - FEBRUARY 9, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 9, 2000

PRAYER

The prayer was offered by Pastor Fritz Hudson, Unitarian Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:01 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Janssen who was excused; and Senators Brown, Byars, Dierks, Kiel, Kristensen, Landis, Matzke, Price, Robak, Schmitt, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 580, line 22, on LB 1142 insert "reschedule".
The Journal for the twenty-second day was approved as corrected.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1062. Indefinitely postponed.
LEGISLATIVE BILL 1248. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

ANNOUNCEMENT

Senator Connealy designates LB 1348 as his priority bill.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the

President signed the following: LR 295 and LR 296.

UNANIMOUS CONSENT - Members Excused

Senators Beutler and Engel asked unanimous consent to be excused until they return. No objections. So ordered.

MOTION - Approve Appointments

Senator Hartnett moved the adoption of the report of the Urban Affairs Committee for the following appointments found on page 559: Volunteer Service Award Benefit Review Board - Charles Carson, Travis Mayer, Nicholas Ross, Clarence Schweitzer, James Templar, Robert Tichota, David Wees, Tim Wessling, and Keith Wood.

Voting in the affirmative, 28:

Aguilar	Bourne	Brashear	Bromm	Brown
Bruning	Connealy	Coordsen	Crosby	Dickey
Hartnett	Hilgert	Hudkins	Kremer	Kristensen
Lynch	Pedersen, Dw.	Preister	Quandahl	Raikes
Redfield	Schimek	Schmitt	Smith	Thompson
Tyson	Vrtiska	Wehrbein		

Voting in the negative, 1:

Chambers

Present and not voting, 9:

Baker	Bohlke	Cudaback	Jensen	Jones
Pederson, D.	Schrock	Stuhr	Suttle	

Excused and not voting, 11:

Beutler	Byars	Dierks	Engel	Janssen
Kiel	Landis	Matzke	Price	Robak
Wickersham				

The appointments were confirmed with 28 ayes, 1 nay, 9 present and not voting, and 11 excused and not voting.

MOTION - Introduce New Bills

Senator Vrtiska renewed his pending motion, found on page 581, to permit the introduction of new bills by the Business and Labor Committee (Req. 2098 and Req. 2099).

The motion prevailed with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1448. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize certain write-offs as prescribed; and to declare an emergency.

LEGISLATIVE BILL 1449. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

GENERAL FILE

LEGISLATIVE BILL 652. Considered.

Pending.

NOTICE OF COMMITTEE HEARINGS
Transportation and Telecommunications

Tuesday, February 22, 2000 1:30 p.m.
Nebraska Transit and Rail Advisory Council
Roberto Munguia

(Signed) Curt Bromm, Chairperson

Health and Human Services

Thursday, February 17, 2000 (cancel) 1:30 p.m.
Wednesday, February 16, 2000 (reschedule) 1:30 p.m.
Health and Human Services, Policy Secretary
Chris Peterson

Wednesday, February 16, 2000 1:30 p.m.
Health and Human Services System Partnership Council
Ella Ochoa
Kathy Moore
State Board of Health

Linda Lazure

(Signed) Jim Jensen, Chairperson

AMENDMENT - Print in Journal

Senator Vrtiska filed the following amendment to LB 692:
AM2316

1. Insert the following new sections:

"Sec. 6. Section 23-1608, Reissue Revised Statutes of Nebraska, is amended to read:

23-1608. (1) Each county board shall cause an examination and a complete and comprehensive annual audit to be made of the books, accounts, records, and affairs of all county officers in the county. The audits shall be conducted annually, except that the Auditor of Public Accounts may determine an audit of less frequency to be appropriate but not less than once in any three-year period. Each county board may contract with the Auditor of Public Accounts or select a licensed public accountant or certified public accountant or firm of such accountants to conduct the examination and audit and shall be responsible for the cost of the audit pursuant to the contract. ~~The~~ An original copy of the audit report shall be filed in the office of the county clerk and in the office of the Auditor of Public Accounts within twelve months after the end of each fiscal year.

(2) The county board shall cause to be published in the same manner as the proceedings of the county board a brief statement disclosing the conclusion of the examination and audit and that such audit report is on file with the county clerk.

(3) At the same time a copy of the audit report is filed in the office of the county clerk, the auditor conducting the examination shall send written notice to the county board and the county attorney of the county concerned, the Auditor of Public Accounts, and to the Attorney General, of any irregularity or violation of any law disclosed by the audit report. It shall be the duty of the county attorney, within thirty days of the receipt of such notice, to institute appropriate proceedings against the offending officer or officers.

(4) If the county attorney fails to comply with the provisions of this section, it shall be the duty of the Attorney General to institute such proceedings against the offending officer or officers, and he or she shall also institute proceedings for the removal of the county attorney from office. When notice is received of any irregularity or violation of any law in the office of the county attorney, it shall be the duty of the Attorney General to institute appropriate proceedings against the county attorney within thirty days after the giving of such notice if the county attorney has failed to institute such proceedings.

Sec. 7. Section 23-1609, Reissue Revised Statutes of

Nebraska, is amended to read:

23-1609. Such examination and audit shall be conducted in conformity with generally accepted auditing standards applied on a consistent basis and shall develop the county's financial condition, the condition of each county fund and the disposition of all money collected or received. Such ~~audits~~ examination and audit shall be a full and complete ~~audits~~ audit of the cash receipts and disbursements, ~~shall include a checking of claims paid as against the record of claims kept by the county clerk, and against the record of the county board with respect to such claims, shall include a checking of claims paid as against the levy,~~ and shall reflect in supplementary schedules the state of ~~the~~ each county fund from which the respective claims are payable. ~~The audit shall also include a report as to the regularity of each such claim examined but shall contain no conclusion or opinion as to its validity or legality.~~

Sec. 9. Section 49-617, Revised Statutes Supplement, 1999, is amended to read:

49-617. The Revisor of Statutes shall cause the statutes to be printed. The printer shall deliver all completed copies to the Supreme Court. These copies shall be held and disposed of by the court as follows: Sixty copies to the State Library to exchange for statutes of other states; five copies to the State Library to keep for daily use; not to exceed twenty-five copies to the Legislative Council for bill drafting and related services to the Legislature and executive state officers; as many copies to the Attorney General as he or she has attorneys on his or her staff; up to sixteen copies to the State Court Administrator; twelve copies to the Tax Commissioner; eight copies to the Nebraska Publications Clearinghouse; six copies to the Public Service Commission; four copies to the Secretary of State; four copies to the Clerk of the Legislature for use in his or her office and three copies to be maintained in the legislative chamber, one copy on each side of the chamber and one copy at the desk of the Clerk of the Legislature, under control of the sergeant at arms; three copies to the Auditor of Public Accounts; two copies each to the Governor of the state, the Chief Justice and each judge of the Supreme Court, each judge of the Court of Appeals, the Clerk of the Supreme Court, the Reporter of the Supreme Court and Court of Appeals, ~~the Auditor of Public Accounts,~~ the Commissioner of Labor, and the Revisor of Statutes; one copy each to the Secretary of State of the United States, each Indian tribal court located in the State of Nebraska, the library of the Supreme Court of the United States, the Adjutant General, the Air National Guard, the Commissioner of Education, the State Treasurer, the Board of Educational Lands and Funds, the Director of Agriculture, the Director of Administrative Services, the Director of Aeronautics, the Director of Economic Development, the director of the Public Employees Retirement Board, the Director-State Engineer, the Director of Banking and Finance, the

Director of Insurance, the Director of Motor Vehicles, the Property Tax Administrator, the Director of Veterans' Affairs, the Director of Water Resources, the Director of Correctional Services, the Nebraska Emergency Operating Center, each judge of the Nebraska Workers' Compensation Court, each judge of the Commission of Industrial Relations, the Nebraska Liquor Control Commission, the Nebraska Natural Resources Commission, the State Real Estate Commission, the Tax Equalization and Review Commission, the secretary of the Game and Parks Commission, the Board of Pardons, the Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, the Department of Health and Human Services Finance and Support, each state institution under the Department of Health and Human Services, each state institution under the State Department of Education, the State Surveyor, the Nebraska State Patrol, the materiel division of the Department of Administrative Services, the personnel division of the Department of Administrative Services, the Nebraska Motor Vehicle Industry Licensing Board, the Board of Trustees of the Nebraska State Colleges, each of the Nebraska state colleges, each district judge of the State of Nebraska, each judge of the county court, each judge of a separate juvenile court, the Lieutenant Governor, each United States Senator from Nebraska, each United States Representative from Nebraska, each clerk of the district court for the use of the district court, the clerk of the Nebraska Workers' Compensation Court, each clerk of the county court, each county attorney, each county public defender, each county law library, and the inmate library at all state penal and correctional institutions, and each member of the Legislature shall be entitled to two complete sets, and two complete sets of such volumes as are necessary to update previously issued volumes, but each member of the Legislature and each judge of any court referred to in this section shall be entitled, on request, to an additional complete set. Copies of the statutes distributed without charge, as listed in this section, shall be the property of the state or governmental subdivision of the state and not the personal property of the particular person receiving a copy. Distribution of statutes to the library of the College of Law of the University of Nebraska shall be as provided in sections 85-176 and 85-177.

Sec. 11. Section 84-304.03, Reissue Revised Statutes of Nebraska, is amended to read:

84-304.03. The Auditor of Public Accounts shall establish minimum standards for all persons identified as auditors or who conduct audits of any agency of state government or of any political subdivision. ~~, except a village.~~ Such standards shall be established to achieve the goal of assuring a proper level of competency in auditing and shall be distributed to all agencies of state government and all political subdivisions. ~~, except villages.~~ No agency of state government or political subdivision~~,~~ ~~except a village,~~ shall employ any person as an auditor who fails to meet such minimum standards.".

2. On page 7, strike line 6 and insert "14-2146, 23-905, 23-1608, 23-1609, 29-752, 72-417, and 84-304.03, Reissue Revised"; in line 7 after the comma insert "and section 49-617, Revised Statutes Supplement, 1999,"; and in line 9 after the first comma insert "23-1610," and strike "and", and after the last comma insert "and 84-301,".

3. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 652. Senator Thompson withdrew her amendments, AM1263 and AM1690, found on pages 1441 and 1958, First Session, 1999.

Senator Wickersham withdrew his amendment, AM1265, found on page 1453, First Session, 1999.

The Standing Committee amendment, AM0717, printed separately and referred to on page 1045, First Session, 1999, and considered on pages 1425 and 1430, First Session, 1999, was renewed.

The Standing Committee amendment lost with 0 ayes, 20 nays, 23 present and not voting, and 6 excused and not voting.

Senator Thompson renewed her pending amendment, AM2267, printed separately and referred to on page 571.

Senators Wehrbein and Kristensen asked unanimous consent to be excused. No objections. So ordered.

SENATOR CROSBY PRESIDING

Pending.

ANNOUNCEMENTS

Senator Brashear designates LR 291CA as his priority resolution.

The Natural Resources Committee designates LB 901 as its priority bill.

The Education Committee designates LB 495 as its priority bill.

The Urban Affairs Committee designates LB 1370 as its priority bill.

Senator Wickersham designates LB 1107 as his priority bill.

AMENDMENTS - Print in Journal

Senator Bromm filed the following amendment to LB 1018:

AM2348

1. On page 12, line 17, after the period insert "A franchise agreement with a Nebraska licensed dealer which conforms to and is subject to sections 60-1401.01 to 60-1440 and this section is not control for purposes of this section.".

2. On page 15, line 23, strike "requires or allows" and insert "which does not take place in the State of Nebraska provides for".

3. On page 17, line 5, strike "a" and insert "an existing".

Senator Coordsen filed the following amendment to LB 701:
AM2342

(Amendments to E & R amendments, AM7186)

1. Strike sections 2 and 4 and insert the following new section:

"Sec. 3. Section 37-1012, Reissue Revised Statutes of Nebraska, is amended to read:

37-1012. (1) The Game and Parks Commission shall have the same responsibility with regard to division fences as a private landowner as provided in sections 34-101 to 34-117, except that in those areas where a state recreational trail is developed, the commission shall have the same responsibility as a railroad as provided in sections 74-601 to 74-604, but the type of fence required under section 74-601 shall not be required for those areas where a state recreational trail is developed. All fences shall be constructed and maintained as required under this subsection unless such construction and maintenance is waived in writing by affected adjoining landowners. The commission shall be responsible for the construction and replacement cost of any fence agreed to by the commission and adjoining landowner. The commission shall also be responsible for providing supplies for the maintenance of any fence along a state recreational trail or for the reimbursement to the adjoining landowner for the cost of supplies for the maintenance of any fence along a state recreational trail. The adjoining landowner shall be responsible for the maintenance of the fence. In such areas the type of fence may be (a) wire fence of at least four barbed wires, of a size not less than twelve and one-half gauge fencing wire, to be secured to posts, the posts to be at no greater distance than one rod from each other, or (b) a fence of any type that is agreed to by the commission and adjoining landowners. All fences constructed under either subdivision (a) or (b) of this subsection shall be deemed to be manifestly designed to exclude intruders for the purposes of subdivision (1)(c) of section 28-521.

(2) The responsibility of the commission for fences along a state recreational trail shall not exceed the amount appropriated to the commission by the Legislature for such purpose during any biennium, except that the commission may use any funds specifically

gifted or obtained by grant application to the commission the sole purpose of which is to provide fencing for a state recreational trail.

(3) The commission shall adopt and promulgate rules and regulations to carry out this section.".

2. On page 4, lines 23 and 27, strike "37-1007 and".

3. Renumber the remaining sections accordingly.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative bills:

LB/LR	**Committee**
LB 1448	Business and Labor
LB 1449	Business and Labor

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARINGS

Business and Labor

LB 1448	Thursday, February 17, 2000	12:00 p.m.
LB 1449	Thursday, February 17, 2000	12:00 p.m.

(Signed) Floyd P. Vrtiska, Chairperson

Judiciary

LB 1118	Wednesday, February 23, 2000	1:30 p.m.
LB 1291	Wednesday, February 23, 2000	1:30 p.m.
LB 1405	Wednesday, February 23, 2000	1:30 p.m.
LB 1275	Thursday, February 24, 2000	1:30 p.m.
LB 1277	Thursday, February 24, 2000	1:30 p.m.
LB 1282	Thursday, February 24, 2000	1:30 p.m.
LB 1383	Thursday, February 24, 2000	1:30 p.m.
LB 1413	Thursday, February 24, 2000	1:30 p.m.

(Signed) Kermit A. Brashear, Chairperson

STANDING COMMITTEE REPORTS

Business and Labor

LEGISLATIVE BILL 953. Placed on General File as amended.
Standing Committee amendment to LB 953:
AM2319

1. Insert the following new section:
"Sec. 13. Since an emergency exists, this act takes effect when passed and approved according to law.".

LEGISLATIVE BILL 1221. Placed on General File as amended.
Standing Committee amendment to LB 1221:
AM2172

1. Insert the following new sections:
"Sec. 3. Section 48-120.02, Revised Statutes Supplement, 1999, is amended to read:

48-120.02. (1) Any person or entity may make written application to the Nebraska Workers' Compensation Court to have a plan certified that provides management of quality treatment to injured employees for injuries and diseases compensable under the Nebraska Workers' Compensation Act. Any such person or entity having a relationship with a workers' compensation insurer or any such person or entity having a relationship with an employer for which a plan is being proposed for its own employees shall make full disclosure of such relationship to the compensation court under rules and regulations to be adopted and promulgated by the compensation court. Each application for certification shall be accompanied by a reasonable fee prescribed by the compensation court. A plan may be certified to provide services in a limited geographic area. A certificate is valid for the period the compensation court prescribes unless revoked or suspended. Application for certification shall be made in the form and manner and shall set forth information regarding the proposed plan for providing services as the compensation court may prescribe. The information shall include, but not be limited to:

(a) A list of the names of all providers of medical, surgical, and hospital services under the managed care plan, together with a statement that all licensing, certification, or registration requirements for the providers are current and in good standing in this state or the state in which the provider is practicing; and

(b) A description of the places and manner of providing services under the plan.

(2) The compensation court shall certify a managed care plan if the compensation court finds that the plan:

(a) Proposes to provide quality services that meet uniform treatment standards which may be prescribed by the compensation court and all medical, surgical, and hospital services that may be required by the Nebraska Workers' Compensation Act in a manner that is timely, effective, and convenient for the employee;

(b) Is reasonably geographically convenient to employees it serves;

(c) Provides appropriate financial incentives to reduce service costs and utilization without sacrificing the quality of service;

(d) Provides adequate methods of peer review, utilization review, and dispute resolution to prevent inappropriate, excessive, or not medically necessary treatment and excludes participation in the plan by those individuals who violate treatment standards;

(e) Provides a procedure for the resolution of medical disputes;

(f) Provides aggressive case management for injured employees and provides a program for early return to work and cooperative efforts by the employees, the employer, and the managed care plan to promote workplace health and safety consultative and other services;

(g) Provides a timely and accurate method of reporting to the compensation court necessary information regarding medical, surgical, and hospital service cost and utilization to enable the compensation court to determine the effectiveness of the plan;

(h) Authorizes employees to receive medical, surgical, and hospital services from a physician who is not a member of the managed care plan if such physician has been selected by the employee pursuant to subsection (2) of section 48-120 and if such physician agrees to refer the employee to the managed care plan for any other treatment that the employee may require and agrees to comply with all the rules, terms, and conditions of the managed care plan;

(i) Authorizes necessary emergency medical treatment for an injury which is provided by a provider of medical, surgical, and hospital services who is not a part of the managed care plan;

(j) Does not discriminate against or exclude from participation in the plan any category of providers of medical, surgical, or hospital services and includes an adequate number of each category of providers of medical, surgical, and hospital services to give employees convenient geographic accessibility to all categories of providers and adequate flexibility to choose a physician to provide ~~providers of~~ medical, surgical, and hospital services from among those who provide services under the plan;

(k) Provides an employee the right to change ~~medical, surgical, or hospital service providers~~ the physician initially selected to provide medical, surgical, and hospital services under the plan at least once; and

(l) Complies with any other requirement the compensation court determines is necessary to provide quality medical, surgical, and hospital services to injured employees.

The compensation court may accept findings, licenses, certifications, or registrations of other state agencies as satisfactory evidence of compliance with a particular requirement of this subsection.

(3) An employee shall exhaust the dispute resolution procedure of the certified managed care plan prior to filing a petition or otherwise seeking relief from the compensation court on an issue related to managed care. If an employee has exhausted the

dispute resolution procedure of the managed care plan, the employee may seek a medical finding by an independent medical examiner pursuant to section 48-134.01. No petition may be filed with the compensation court pursuant to section 48-173 solely on the issue of the reasonableness and necessity of medical treatment unless a medical finding on such issue has been rendered by an independent medical examiner pursuant to section 48-134.01. If the compensation court subsequently orders reasonable medical services previously refused to be furnished to the employee by a physician who is a member of the managed care plan, the compensation court shall allow the employee to select another physician to furnish further medical services if the physician so selected complies with all rules, terms, and conditions of the managed care plan and refers the employee to the managed care plan for any other treatment that the employee may require.

(4) The compensation court may refuse to certify or may revoke or suspend the certification of a managed care plan that unfairly restricts direct access within the managed care plan to any category of provider of medical, surgical, or hospital services. Direct access within the managed care plan is unfairly restricted if direct access is denied and the treatment or service sought is within the scope of practice of the profession to which direct access is sought and is appropriate under the standards of treatment adopted by the managed care plan or, in instances where the compensation court has adopted standards of treatment, the standards adopted by the compensation court.

(5) The compensation court may refuse to certify or may revoke or suspend the certification of a managed care plan if the compensation court finds that the plan for providing medical, surgical, and hospital services fails to meet the requirements of this section or service under the plan is not being provided in accordance with the terms of a certified plan.

(6) The compensation court may adopt and promulgate rules and regulations necessary to implement this section.

Sec. 8. Section 48-145, Revised Statutes Supplement, 1999, is amended to read:

48-145. To secure the payment of compensation under the Nebraska Workers' Compensation Act:

(1) Every employer in the occupations described in section 48-106, except the State of Nebraska and any governmental agency created by the state, shall either (a) insure and keep insured ~~his or her~~ its liability under such act in some corporation, association, or organization authorized and licensed to transact the business of workers' compensation insurance in this state, (b) ~~or,~~ in the case of an employer who is a lessor of one or more commercial vehicles leased to a self-insured motor carrier, be a party to an effective agreement with the self-insured motor carrier under section 48-115.02, (c) be a member of a risk management pool authorized and providing group self-insurance of

workers' compensation liability pursuant to the Intergovernmental Risk Management Act, or (d) with approval of the Nebraska Workers' Compensation Court, self-insure its workers' compensation liability.

An employer seeking approval to self-insure shall make application to the compensation court in the form and manner as the compensation court may prescribe, meet such minimum standards as the compensation court shall adopt and promulgate by rule and regulation, and ~~or (b) as a self-insurer furnish to the State Treasurer an annual amount equal to two and one-half percent of the prospective-loss costs for like employment but in no event less than twenty-five dollars. Prospective-loss costs is defined in section 48-151. The compensation court is the sole judge as to the prospective-loss costs that shall be used. He or she shall also~~ furnish to the ~~Nebraska Workers' Compensation Court~~ compensation court satisfactory proof of ~~his or her~~ financial ability to pay direct the compensation in the amount and manner when due as provided for in the Nebraska Workers' Compensation Act. ~~In the latter case the~~ The compensation court may ~~in its discretion~~ by rule and regulation require the deposit of an acceptable security, indemnity, trust, or bond to secure the payment of compensation liabilities as they are incurred. The agreement or document creating a trust for use under this section shall contain a provision that the trust may only be terminated upon the consent and approval of the compensation court. Any beneficial interest in the trust principal shall be only for the benefit of the past or present employees of the self-insurer and any persons to whom the self-insurer has agreed to pay benefits ~~under the Nebraska Workers' Compensation Act~~ under subdivision (11) of section 48-115 and section 48-115.02. Any limitation on the termination of a trust and all other restrictions on the ownership or transfer of beneficial interest in the trust assets contained in such agreement or document creating the trust shall be enforceable, except that any limitation or restriction shall be enforceable only if authorized and approved by the compensation court and specifically delineated in the agreement or document. ~~The compensation court may in its discretion withdraw such approval as a self-insurer at any time;~~

~~(2)~~ Notwithstanding any other provision of the Nebraska Workers' Compensation Act, a three judge panel of the compensation court may, after notice and hearing, suspend or revoke approval as a self-insurer if it finds that the financial condition of the self-insurer or the failure of the self-insurer to comply with an obligation under the act poses a serious threat to the public health, safety, or welfare. Appeal from such suspension or revocation shall be in accordance with section 48-185. No such appeal shall operate as a supersedeas unless the self-insurer executes to the compensation court a bond with one or more sureties authorized to do business within the State of Nebraska in an amount determined by the three judge panel to be sufficient to satisfy the obligations of the self-insurer under the act;

(2) An approved self-insurer shall furnish to the State Treasurer an annual amount equal to two and one-half percent of the prospective-loss costs for like employment but in no event less than twenty-five dollars. Prospective-loss costs is defined in section 48-151. The compensation court is the sole judge as to the prospective-loss costs that shall be used. All money which a self-insurer is required to pay to the State Treasurer, under ~~subdivision (1) of this section~~ this subdivision, shall be computed and tabulated under oath as of January 1 and paid to the State Treasurer immediately thereafter. The Nebraska Workers' Compensation Court, any judge thereof, or any representative of the compensation court is empowered to audit any such payroll at its discretion. All money paid by a self-insurer under this subdivision shall be credited to the General Fund; and

(3) Every employer who fails, neglects, or refuses to comply with the conditions set forth in subdivision (1) or (2) of this section shall be required to respond in damages to an employee for personal injuries, or when personal injuries result in the death of an employee, then to his or her dependents. ~~All money paid by an employer to the State Treasurer, under subdivisions (1) and (2) of this section, shall be credited to the General Fund of the State of Nebraska, except that subdivisions (1) and (2) of this section shall not apply to the State of Nebraska.~~

Sec. 9. Section 48-145.04, Revised Statutes Supplement, 1999, is amended to read:

48-145.04. (1) The Nebraska Workers' Compensation Court shall, prior to January 1 of each year, estimate as closely as possible the actual cost to the court of evaluating an application for self-insurance and supervising and administering the self-insurance program for the ensuing year and assess the amount thereof, but not to exceed two thousand dollars, against each applicant for self-insurance in this state. Such assessment shall be in addition to the payments required by subdivision ~~(1)(b)~~ (2) of section 48-145 and section 48-1,114. The court shall notify each applicant of the amount of the individual assessment. Such assessment shall be due and payable with the application for self-insurance. If any assessment is not paid, the application shall not be considered.

(2) All payments received under subsection (1) of this section shall be remitted to the State Treasurer for credit to the Compensation Court Cash Fund. Such payments shall be expended solely for evaluating applications for self-insurance and to aid in supervising and administering the self-insurance program. After the first year, the balance remaining of such payments at the time each annual assessment is made shall be taken into account when the total assessment for the ensuing year is made.".

2. On page 29, line 18, strike "section" and insert

"sections 48-120.02, 48-145, 48-145.04, and".

3. Renumber the remaining sections accordingly.

(Signed) Floyd P. Vrtiska, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 74. Placed on Select File as amended.
E & R amendment to LB 74:
AM7188

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 60-672, Reissue Revised Statutes of Nebraska, is amended to read:

60-672. Traffic infraction shall mean the violation of any provision of the Nebraska Rules of the Road or of any law, ordinance, order, rule, or regulation regulating traffic which is not otherwise declared to be a misdemeanor or a felony. ~~and which shall be a civil offense.~~

Sec. 2. Section 60-688, Reissue Revised Statutes of Nebraska, is amended to read:

60-688. Prosecutions for violations declared by the Nebraska Rules of the Road to be misdemeanors or felonies shall be conducted and disposed of in the same manner as provided for such prosecutions under the laws of this state, and traffic infractions shall be treated in the same manner as misdemeanors, except as otherwise provided by law.

Sec. 3. Original sections 60-672 and 60-688, Reissue Revised Statutes of Nebraska, are repealed.".

2. On page 1, strike lines 2 through 4 and insert "sections 60-672 and 60-688, Reissue Revised Statutes of Nebraska; to change provisions relating to traffic infractions; to redefine a term; and to repeal the original sections.".

LEGISLATIVE RESOLUTION 20CA. Placed on Select File as amended.
E & R amendment to LR 20CA:
AM7189

1. On page 1, line 2, strike "FIRST" and insert "SECOND"; and in line 17 strike "a reference to" and insert "an English language requirement for".

(Signed) Adrian M. Smith, Chairperson

VISITORS

Visitors to the Chamber were Gary Tuttle from Waterloo; Esther Price from Bassett and Neva and Amy Jacox from Ainsworth; Joni Bosshamer from

Amherst; 8 kindergarten students, sponsors, and teacher from Prairie View 7DA, Chadron; members of The Council of State Governments, Intergovernmental Affairs Committee from across the United States; and Scott and Die Wolvin from Aurora, Colorado.

The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

ADJOURNMENT

At 11:03 a.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Thursday, February 10, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FOURTH DAY - FEBRUARY 10, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 10, 2000

PRAYER

The prayer was offered by Senator Wehrbein.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Bohlke, Bromm, Chambers, Coordsen, Engel, Kiel, Kristensen, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third day was approved.

ANNOUNCEMENTS

Senator Bromm designates LB 515 as his priority bill.

Senator Chambers designates LB 1021 as his priority bill.

Senator Robak designates LB 1092 as her priority bill.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1341. Placed on General File as amended.
Standing Committee amendment to LB 1341:
AM2324
1. On page 2, line 5, after the first comma insert "or" and strike ", or credit union".

LEGISLATIVE BILL 1181. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

Business and Labor

LEGISLATIVE BILL 1007. Placed on General File as amended.
Standing Committee amendment to LB 1007:
AM2099

1. On page 4, strike beginning with "A" in line 2 through the period in line 5.

LEGISLATIVE BILL 1311. Placed on General File as amended.
Standing Committee amendment to LB 1311:
AM2320

1. Insert the following new section: "Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) Floyd P. Vrtiska, Chairperson

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Thursday, February 24, 2000 12:00 p.m.
State Emergency Response Commission
Rick Kuckkahn

(Signed) DiAnna R. Schimek, Chairperson

MOTION - Approve Appointments

Senator Vrtiska moved the adoption of the report of the Business and Labor Committee for the following appointments found on page 580: Commission of Industrial Relations - William Blake and G. Pete Burger.

Voting in the affirmative, 31:

Aguilar	Baker	Bourne	Brashear	Brown
Bruning	Connealy	Crosby	Cudaback	Dickey
Dierks	Hilgert	Hudkins	Janssen	Jensen
Jones	Kremer	Landis	Pedersen, Dw.	Price
Quandahl	Redfield	Robak	Schmitt	Schrock
Smith	Stuhr	Suttle	Thompson	Vrtiska
Wehrbein				

Voting in the negative, 0.

Present and not voting, 10:

Beutler	Byars	Hartnett	Lynch	Matzke
Pederson, D.	Preister	Raikes	Schimek	Wickersham

Excused and not voting, 8:

Bohlke	Bromm	Chambers	Coordsen	Engel
Kiel	Kristensen	Tyson		

The appointments were confirmed with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 55.

A BILL FOR AN ACT relating to civil procedure; to authorize commencement of a new action after the failure of an action and expiration of the applicable statute of limitations as prescribed.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bourne	Brashear
Brown	Bruning	Byars	Connealy	Crosby
Cudaback	Dickey	Dierks	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Jones	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Robak	Schimek	Schmitt	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Excused and not voting, 6:

Bohlke	Bromm	Chambers	Coordsen	Engel
Kiel				

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 151. With Emergency.

A BILL FOR AN ACT relating to the DNA Detection of Sexual and Violent Offenders Act; to amend section 29-4107, Revised Statutes Supplement, 1998; to change provisions relating to DNA samples and fingerprints; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 5:

Bohlke
Chambers
Coordsen
Engel
Kiel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 288.

A BILL FOR AN ACT relating to incarceration work camps; to amend section 83-4,143, Reissue Revised Statutes of Nebraska; to change provisions relating to placement of offenders; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 5:

Bohlke Chambers Coordsen Engel Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 410.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,267 and 60-6,268, Reissue Revised Statutes of Nebraska, and section 71-1907, Revised Statutes Supplement, 1998; to change provisions relating to child passenger restraint and occupant protection systems; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bourne Brashear
Bromm Brown Bruning Byars Connealy
Crosby Cudaback Dickey Dierks Hartnett
Hilgert Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Bohlke Chambers Coordsen Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 477.

A BILL FOR AN ACT relating to wine; to create the Nebraska Grape and Winery Board; to provide powers and duties; and to establish and provide for distribution of fees.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar
Baker
Beutler
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Redfield
Suttle

Excused and not voting, 4:

Bohlke
Chambers
Coordsen
Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 523 with 42 ayes, 0 nay, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 523.

A BILL FOR AN ACT relating to nursing; to amend sections 71-1,132.01, 71-1,132.05, 71-1,132.17, and 71-1,132.31, Reissue Revised Statutes of Nebraska, and section 71-1,132.11, Revised Statutes Supplement, 1999; to adopt the Nurse Licensure Compact; to define a term; to change powers and duties of the Board of Nursing; to change provisions relating to the use of certain titles; to provide for a compact administrator; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks

Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 0.

Excused and not voting, 3:

Bohlke	Chambers	Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 534. With Emergency.

A BILL FOR AN ACT relating to state publications; to amend sections 49-501.01, 49-503, 49-507, 49-509, 49-509.01, 84-1205.02, and 85-177, Reissue Revised Statutes of Nebraska, and section 49-506, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to publication and distribution of session laws and the journal of the Legislature; to harmonize provisions; to repeal the original sections; to outright repeal section 49-508.01, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bourne	Brashear
Bromm	Brown	Bruning	Byars	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein

Voting in the negative, 0.

Present and not voting, 1:

Wickersham

Excused and not voting, 3:

Bohlke Chambers Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 582.

A BILL FOR AN ACT relating to municipal government; to amend section 18-2528, Reissue Revised Statutes of Nebraska; to exclude certain zoning measures and personnel issues from being subject to referendum powers; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Connealy Coordsen Crosby Cudaback Hartnett
Hilgert Hudkins Janssen Jensen Jones
Kiel Kremer Landis Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Robak Schimek Schrock Smith
Stuhr Suttle Thompson Vrtiska Wehrbein
Wickersham

Voting in the negative, 4:

Dierks Kristensen Redfield Tyson

Present and not voting, 2:

Dickey Schmitt

Excused and not voting, 2:

Chambers Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 658.

A BILL FOR AN ACT relating to the Nebraska Pickle Card Lottery Act; to amend sections 9-312, 9-315, 9-338, and 9-346, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to pickle card requirements; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Connealy	Crosby	Cudaback	Hartnett	Hilgert
Janssen	Kiel	Kristensen	Lynch	Matzke
Pedersen, Dw.	Preister	Robak	Schmitt	Schrock
Smith	Thompson	Tyson	Wehrbein	Wickersham

Voting in the negative, 17:

Coordsen	Dickey	Dierks	Hudkins	Jensen
Jones	Kremer	Landis	Pederson, D.	Price
Quandahl	Raikes	Redfield	Schimek	Stuhr
Suttle	Vrtiska			

Excused and not voting, 2:

Chambers	Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 729.

A BILL FOR AN ACT relating to initiative and referendum measures; to amend sections 32-1405 and 32-1412, Reissue Revised Statutes of Nebraska; to provide powers and duties for the Secretary of State and to authorize certain actions regarding petition filings; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:

Aguilar	Beutler	Bohlke	Bourne	Brashear
Bromm	Brown	Byars	Connealy	Crosby
Cudaback	Engel	Hudkins	Janssen	Kiel
Kristensen	Landis	Matzke	Pederson, D.	Preister
Price	Raikes	Robak	Schimek	Schmitt
Schrock	Thompson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 18:

Baker
Bruning
Coordsen
Dickey
Dierks
Hartnett
Hilgert
Jensen
Jones
Kremer
Lynch
Pedersen, Dw.
Quandahl
Redfield
Smith
Stuhr
Suttle
Tyson

Excused and not voting, 1:

Chambers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 788.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Supplement, 1999; to create the Game Law Investigation Cash Fund; to provide duties; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 0.

Present and not voting, 1:

Wickersham

Excused and not voting, 1:

Chambers

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 55, 151, 288, 410, 477, 523, 534, 582, 658, 729, and 788.

SELECT FILE

LEGISLATIVE BILL 482A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 419. E & R amendment, AM7163, found on page 329, was adopted.

Senator Kristensen requested to pass over LB 419.

Senator Hartnett asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 626. E & R amendment, AM7173, found on page 399, was adopted.

Senator Beutler withdrew his amendment, AM2108, found on page 408.

Senator Beutler renewed his pending amendment, AM2129, found on page 428.

The Beutler amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Senator Brashear renewed his pending amendment, AM2273, found on page 564.

The Brashear amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 504. Advanced to E & R for engrossment.

Senators Hudkins, Raikes, and Byars asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 510. Considered.

Senator Price asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Bruning moved for a call of the house. The motion prevailed with 17 ayes, 0 nays, and 32 not voting.

Senator Bruning requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 31:

Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Chambers
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hilgert
Janssen
Kiel
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Robak
Schmitt
Schrock
Suttle
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 13:

Aguilar
Baker
Bruning
Crosby
Jensen
Jones
Kremer
Quandahl
Redfield
Schimek
Smith
Stuhr
Tyson

Excused and not voting, 5:

Byars
Hartnett
Hudkins
Price
Raikes

Advanced to E & R for engrossment with 31 ayes, 13 nays, and 5 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 438. E & R amendment, AM7183, found on page 568, was adopted.

Senator Beutler offered the following amendment:
AM2334

(Amendments to E & R amendments, AM7183)

1. Strike sections 1, 4, and 5 and insert the following new sections:

"Section 1. Section 49-1401, Revised Statutes Supplement, 1999, is amended to read:

49-1401. Sections 49-1401 to 49-14,141 and sections 3, 6, and 9 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. Section 49-1447, Reissue Revised Statutes of Nebraska, is amended to read:

49-1447. (1) The committee treasurer shall keep detailed accounts, records, bills, and receipts necessary to substantiate the information contained in a statement or report filed pursuant to sections 49-1445 to 49-1479 or rules and regulations adopted and promulgated under ~~sections 49-1401 to 49-14,138~~ the Nebraska Political Accountability and Disclosure Act. The treasurer shall be responsible for filing all statements and reports of the committee required to be filed under the act or the Campaign Finance Limitation Act and shall be personally liable subject to section 3 of this act for any late filing fees, civil penalties, and interest that may be due under either act as a result of a failure to make such filings.

(2) The treasurer shall record the name and address of each person from whom a contribution is received except for contributions of fifty dollars or less received pursuant to subsection (2) of section 49-1472.

(3) The records of a committee shall be preserved for five years and shall be made available for inspection as authorized by the commission.

(4) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor.

Sec. 3. A ballot question committee shall file with the commission a surety bond running in favor of the State of Nebraska with surety by a corporate bonding company authorized to do business in this state and conditioned upon the payment of all fees, penalties, and interest which may be imposed under the Nebraska Political Accountability and Disclosure Act. A bond in the amount of five thousand dollars shall be filed with the commission within thirty days after the committee receives contributions or makes expenditures in excess of one hundred thousand dollars in a calendar year, and the amount of the bond shall be increased by five thousand dollars for each additional five hundred thousand dollars received or expended in a calendar year. Proof of any required increase in the amount of the bond shall be filed with the commission within thirty days after each additional five hundred thousand dollars is received or expended. Any failure to pay late filing fees, civil penalties, or interest due under the act shall be recovered from the proceeds of the bond prior to recovery from the treasurer of the committee.

Any person violating the provisions of this section shall be guilty of a Class III misdemeanor.

Sec. 4. Section 49-1453, Reissue Revised Statutes of Nebraska, is amended to read:

49-1453. A committee may be dissolved by the filing of a statement of dissolution with the commission, the payment of all fees, penalties, and interest which may be owed, and complying with the rules and regulations of the commission for dissolution of committees. No committee shall be dissolved until such statement is filed and such payments are made. ~~Upon the dissolution of a committee, a statement indicating dissolution shall be filed with the filing officials with whom the committee's statement of~~

~~organization was filed. Dissolution of a committee shall be accomplished in accordance with rules promulgated by the commission.~~

Sec. 7. Section 49-1463.01, Reissue Revised Statutes of Nebraska, is amended to read:

49-1463.01. (1) A person required to pay a late filing fee imposed under section 32-1604.01, 49-1446.05, 49-1449, 49-1458, 49-1463, 49-1467, 49-1469, or 49-1479.01 or section 6 of this act may apply to the commission for relief. The commission by order may reduce the amount of a late filing fee imposed and waive any or all of the interest due on the fee upon a showing by such person that ~~(1)~~ (a) the circumstances indicate no intent to file late, ~~(2)~~ (b) the person has not been required to pay late filing fees for two years prior to the time the filing was due, ~~(3)~~ (c) the late filing shows that less than five thousand dollars was raised, received, or expended during the reporting period, and ~~(4)~~ (d) a reduction of the late fees and waiver of interest would not frustrate the purposes of the Nebraska Political Accountability and Disclosure Act.

(2) A person required to pay a late filing fee imposed for failure to file a statement of exemption under subsection (2) of section 49-1459 may apply to the commission for relief. The commission by order may reduce or waive the late filing fee and waive any or all of the interest due on the fee, and the person shall not be required to make a showing as provided by subsection (1) of this section.

Sec. 8. Section 49-1466, Reissue Revised Statutes of Nebraska, is amended to read:

49-1466. Any person, who after being a candidate for office ~~terminates~~ dissolves the candidate committee as provided in section 49-1453, may transfer any unexpended funds from such ~~terminated~~ committee to another candidate committee, a political party committee, or a tax-exempt charitable institution~~,~~ or may return such unexpended funds to the contributors of the funds upon ~~termination~~ dissolution of the ~~campaign~~ candidate committee.

Sec. 9. Interest shall accrue on all late filing fees and civil penalties imposed under the Nebraska Political Accountability and Disclosure Act at the rate specified in section 45-104.02, as such rate may from time to time be adjusted. The interest shall begin to accrue thirty days after the commission sends notice to the person of the assessment of the late filing fee or civil penalty. A written request filed with the commission for relief from late filing fees shall stay the accrual of interest on a late filing fee until such time as the commission grants or denies the request.

Sec. 10. Section 49-14,123, Reissue Revised Statutes of Nebraska, is amended to read:

49-14,123. In addition to any other duties prescribed by law, the commission shall:

(1) Prescribe and publish, after notice and opportunity for public comment, rules and regulations to carry out the Campaign Finance Limitation Act and the Nebraska Political Accountability and Disclosure Act pursuant to the Administrative Procedure Act;

(2) Prescribe forms for statements and reports required to be filed pursuant to the Campaign Finance Limitation Act and the Nebraska Political Accountability and Disclosure Act and furnish such forms to persons required to file such statements and reports;

(3) Prepare and publish one or more manuals explaining the duties of all persons and other entities required to file statements and reports by the acts and setting forth recommended uniform methods of accounting and reporting for such filings;

(4) Accept and file any reasonable amount of information voluntarily supplied that exceeds the requirements of the acts;

(5) Make statements and reports filed with the commission available for public inspection and copying during regular office hours and make copying facilities available at a cost of not more than fifty cents per page;

(6) Compile and maintain an index of all reports and statements filed with the commission to facilitate public access to such reports and statements;

(7) Prepare and publish summaries of statements and reports filed with the commission and special reports and technical studies to further the purposes of the acts;

(8) Review all statements and reports filed with the commission in order to ascertain whether any person has failed to file a required statement or has filed a deficient statement;

(9) Preserve statements and reports filed with the commission for a period of not less than five years from the date of receipt;

(10) Issue and publish advisory opinions on the requirements of the acts upon the request of a person or governmental body directly covered or affected by the acts. Any such opinion rendered by the commission, until amended or revoked, shall be binding on the commission in any subsequent charges concerning the person or public body who requested the opinion and who acted in reliance on it in good faith unless material facts were omitted or misstated by the person in the request for the opinion;

(11) Act as the primary civil and criminal enforcement agency for violations of the Nebraska Political Accountability and Disclosure Act and the rules or regulations promulgated thereunder, act as the primary civil enforcement agency for violations of the Campaign Finance Limitation Act and the rules or regulations promulgated thereunder, and act concurrently with the Attorney General in prosecuting criminal violations of the Campaign Finance Limitation Act;

(12) Receive all late filing fees, ~~and~~ civil penalties, and interest imposed pursuant to the Campaign Finance Limitation

Act or the Nebraska Political Accountability and Disclosure Act, seek the return of any amount as provided in section 32-1606, and seek the repayment of any amount as provided in section 32-1607 and remit all such funds to the State Treasurer for credit to the Campaign Finance Limitation Cash Fund; and

(13) Prepare and distribute to the appropriate local officials statements of financial interest, campaign committee organization forms, filing instructions and forms, and such other forms as the commission may deem appropriate.

Sec. 11. Original sections 49-1447, 49-1453, 49-1463.01, 49-1466, and 49-14,123, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1458, Revised Statutes Supplement, 1999, are repealed.".

2. Renumber the remaining sections accordingly.

Senators Brashear, Vrtiska, and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

The Beutler amendment was adopted with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

Senator Schimek offered the following amendment:
AM2363

(Amendments to E & R amendments, AM7183)

1. On page 3, line 12, strike "fifty" and insert "one hundred"; in line 13 strike "one" and insert "three"; in line 14 strike "five hundred"; and in line 19 strike "five hundred" and insert "one thousand".

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

The Schimek amendment was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 654. E & R amendment, AM7184, printed separately and referred to on page 576, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 654A. E & R amendment, AM7185, found on page 576, was adopted.

Senator Schimek offered the following amendment:
AM2367

(Amendments to E & R amendments, AM7185)

1. Insert the following new sections:

"Sec. 2. There is hereby appropriated (1) $50,000 from the Temporary Employee Pool Revolving Fund for FY1999-00 and (2) $153,000 from the Temporary Employee Pool Revolving Fund for FY2000-01 to the Department of Administrative Services, for Program 605, to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, Second Session, 2000.

Sec. 3. There is hereby appropriated (1) $10,000 from the Health and Life Benefit Administration Cash Fund for FY1999-00 and (2) $10,000 from the Health and Life Benefit Administration Cash Fund for FY2000-01 to the Department of Administrative Services, for Program 606, to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, Second Session, 2000.".

2. Renumber the remaining section accordingly.

The Schimek amendment was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 701. E & R amendment, AM7186, found on page 593, was adopted.

Senator Coordsen renewed his pending amendment, AM2342, found on page 606.

The Coordsen amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 204. E & R amendment, AM7187, found on page 595, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 419. Senator Coordsen offered the following amendment:
FA287
Amend AM2026
Pg 2 Line 3: Strike all after "site".
Pg 2 Line 4: Strike "agriculture".
Pg 2: Strike lines 12 through 14.

The Coordsen amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

Senators Dierks and Beutler asked unanimous consent to be excused until they return. No objections. So ordered.

STANDING COMMITTEE REPORTS
Education

LEGISLATIVE BILL 1107. Placed on General File.

(Signed) Ardyce L. Bohlke, Chairperson

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Board of Public Roads Classifications and Standards
James Anderson
James Bauer
Larry Kisby
Richard Ruby
Timothy Schram
Darold Tagge
Henry Thieman
Henry Vieregger

VOTE: Aye: Senators Jones, Bromm, Dw. Pedersen, Robak, Hudkins, Thompson, Byars, and Baker. Nay: None. Absent: None.

(Signed) Curt Bromm, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 10, 2000, at 10:20 a.m., were the following: LBs 55, 151e, 288, 410, 477, 523, 534e, 582, 658, 729, and 788.

(Signed) Diana Bridges
Clerk of the Legislature's Office

ANNOUNCEMENTS

Senator Schmitt designates LB 213 as his priority bill.

The Judiciary Committee designates LB 921 and LB 1008 as its priority bills.

EXPLANATION OF VOTE

Had I been present, I would have voted "yes" on LB 55, LB 151e, LB 288, LB 410, LB 477, LB 523, LB 534e, LB 582, and LB 658.

(Signed) Pat Engel

AMENDMENT - Print in Journal

Senator Byars filed the following amendment to LB 950:
AM2343

1. On page 6, line 14, after "(1)" insert "By December 1, 2003, each birthing facility shall include a hearing screening test as part of its standard of care for newborns and shall establish a mechanism for compliance review.".

2. On page 7, strike lines 25 through 28 and insert: "(a) Under a health insurance plan which provides coverage for hearing screening tests for newborns and infants, such coverage shall be subject to copayment, coinsurance, deductible, and dollar-limit provisions to the extent that other medical services covered by the health insurance plan are subject to such provisions;".

3. On page 8, strike beginning with line 1 through "(e)" in line 18 and insert "(b)".

RESOLUTION

LEGISLATIVE RESOLUTION 301. Introduced by Landis, 46.

WHEREAS, Nebraskans of African and African-American ancestry have contributed substantially to the history and culture of the state; and

WHEREAS, John Jefferson McWilliams, a former slave, Civil War veteran, and Nebraska homesteader, with his wife Sarah, established a six-generation Nebraska family which continues to exemplify those contributions; and

WHEREAS, one of John and Sarah's sons, Earl McWilliams, created in the first quarter of the 20th century a legacy of photographic art that is a source of pride for all Nebraskans and a treasure to be shared with all citizens of the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and commends these accomplishments on behalf of all the people of the State of Nebraska.

2. That the Legislature urges all Nebraskans to take pride in the diversity that contributed to the unique history and culture of Nebraska and its people.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 652. The Thompson pending amendment, AM2267, printed separately and referred to on page 571 and considered on page 605, was renewed.

Senator Jones asked unanimous consent to be excused. No objections. So ordered.

The Thompson amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 652A. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 950A. Introduced by Byars, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 950, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

ANNOUNCEMENT

The Banking, Commerce and Insurance Committee designates LB 1119 as its priority bill.

UNANIMOUS CONSENT - Add Cointroducers

Senator Redfield asked unanimous consent to have her name added as cointroducer to LB 1012. No objections. So ordered.

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 1331. No objections. So ordered.

VISITORS

Visitors to the Chamber were 40 seniors from Westside High School, Omaha; 26 students and teacher from Johnson-Brock High School; 22 fifth through twelfth grade students and teachers from Twin City Baptist Academy, Papillion; and Bonnie Stokes, Dick Williams, Jim Singleton, Diane Kenning, Steve Goeken, Sandra Meyer, and Daryl Anderson from Fairbury.

The Doctor of the Day was Dr. Julie Jacobsen from Lincoln.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Friday, February 11, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-FIFTH DAY - FEBRUARY 11, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 11, 2000

PRAYER

The prayer was offered by Pastor Bill Bowers, Dundee Presbyterian Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Coordsen presiding.

The roll was called and all members were present except Senators Bromm and Kristensen who were excused; and Senators Bohlke, Brown, Hartnett, Landis, Dw. Pedersen, D. Pederson, Raikes, Robak, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fourth day was approved.

STANDING COMMITTEE REPORT
Education

LEGISLATIVE BILL 1436. Placed on General File as amended.
Standing Committee amendment to LB 1436:
AM2365

1. On page 2, line 12, after "section" insert "and the rules and regulations adopted and promulgated under this section"; after line 14 insert the following new subdivisions:

"(c) A health teacher from a public school;

(d) One student from each category of school listed in subsection (4) of this section;"; in line 15 strike "(c)" and insert "(e)"; in line 17 strike "(d)" and insert "(f)"; in line 18 strike "(e)" and insert "(g)"; in line 19 strike "(f)" and insert "(h)" and strike "and"; after line 19 insert the following new subdivision:

"(i) A public health representative; and"; in line 20 strike "(g)" and insert "(j)" and in line 22 strike "and (b)" and insert "through (d)".

2. On page 3, line 1, strike "through 2002"; in lines 11 and 26 before "in" insert "statewide or"; and in line 14 strike "through 2003".

3. On page 4, line 1, after the period insert "The department shall oversee and administer the sponsorship awards provided in this section."; in line 2 strike "State Department of Education" and insert "department"; in line 4 strike "subsections (3) and (4) of"; in line 6 strike "and awards"; after line 16 insert the following new subsection:

"(7) The department shall conduct a review of the project before December 31, 2003, and submit a report to the Governor and Legislature with its recommendations."; and strike beginning with "The" in line 22 through the period in line 25.

4. On page 5, line 12, strike "sixty"; in line 13 after "Fund" insert "each year".

(Signed) Ardyce L. Bohlke, Chairperson

SELECT COMMITTEE REPORT
Enrollment and Review

Correctly Engrossed

The following bill was correctly engrossed: LB 482A.

(Signed) Adrian M. Smith, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1410A. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1410, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 10, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Abboud, Chris – Lincoln; Wellness International
American Communications Group, Inc. – Lincoln; MultiState Associates, Inc.
Beaver, Debbie – Tulsa, OK; Williams Companies
Dehart, Chuck – Tulsa, OK; Williams Companies
Funk, Christine – Lincoln; Planned Parenthood of Lincoln
Kierstead, Roberta – Lincoln; Nebraska Planned Parenthood Voters for Choice
Lamson, Dugan & Murray, LLP – Lincoln; Oasis Technologies, Inc.
Millea, Michael – Omaha; American Association of Retired Persons
Mueller, William J. – Lincoln; Lincoln Chamber of Commerce
Munguia, Roberto Fernando – Lincoln; Burlington Northern Santa Fe Railroad
O'Hara & Associates, Inc. – Lincoln; CFO Services, LLP (Withdrawn 2/07/2000)
Ramirez, Joseph – Omaha; American Association of Retired Persons
Ruth, Larry L. – Lincoln; Lincoln Chamber of Commerce
Schleppenbach, Greg – Lincoln; Nebraska Catholic Conference
Vasey, Mary Jane – Cozad; American Association of Retired Persons

GENERAL FILE

LEGISLATIVE BILL 922. Title read. Considered.

The Standing Committee amendment, AM2081, found on page 418, was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Pending.

ANNOUNCEMENT

Senator Bruning designates LB 628 as his priority bill.

AMENDMENT - Print in Journal

Senator Dierks filed the following amendment to LB 957:
AM2276

1. On page 3, strike lines 1 through 15 and insert:

"(c) The Director of Environmental Quality or his or her designee;

(d) One member representing the Natural Resources Conservation Service of the United States Department of Agriculture;

(e) One member representing the University of Nebraska Institute of Agriculture and Natural Resources;

(f) One member representing an entity which generates electrical energy;

(g) Two members who are producers of field crops at least one of whom actively employs a minimum tillage management system in his or her farming operation;

(h) Two members who are producers of livestock at least one of whom is actively involved in range management;

(i) One member with expertise in greenhouse emissions marketing or trading;

(j) One member representing natural resources districts;

(k) One member representing the transportation industry; and

(l) One member representing the ethanol industry."; and strike lines 24 through 26 and insert:

"(1) Advise and assist the Director of Natural Resources in preparing the reports pursuant to sections 4 and 5 of this act and in conducting the assessment pursuant to section 5 of this act;".

2. On page 4, line 9, strike "2000" and insert "2001".

RESOLUTION

LEGISLATIVE RESOLUTION 302. Introduced by Dierks, 40.

WHEREAS, Nebraska feeds the world with abundant production of grain and livestock; and

WHEREAS, these agricultural products move to the consumer through the investments in facilities and handling equipment provided by local grain elevators and feed mills; and

WHEREAS, grain elevators and feed mills assist their farmer-producers in providing to the domestic and worldwide consumer a quality product; and

WHEREAS, the prosperity of our state's farmers and ranchers, grain elevators and feed mills, and rural communities and larger cities are closely tied together; and

WHEREAS, the Nebraska Grain and Feed Association has been serving the industry for over one hundred three years with a mission to proactively enhance the Nebraska grain and feed industry through effective communication with members, and to advocate the best interests of those members through representation, promotion, education, and the delivery of vital services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the week of February 13-19, 2000, is Nebraska Country Elevator Week.

2. That the Legislature urges all the citizens of Nebraska to join in recognizing and congratulating the Nebraska Grain and Feed Association and its membership, as one of the state's oldest trade associations, for the role the association and its members have played in our state's and nation's economy.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 922. Considered.

Advanced to E & R for review with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1004. Title read. Considered.

The Standing Committee amendment, AM2239, found on page 566, was considered.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA288
Amend AM2239
Strike subsection (b)

The Chambers amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

SENATOR CUDABACK PRESIDING

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, as amended, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 925. Placed on General File.
LEGISLATIVE BILL 1031. Placed on General File.
LEGISLATIVE BILL 1294. Placed on General File.
LEGISLATIVE BILL 1430. Placed on General File.

LEGISLATIVE BILL 1251. Placed on General File as amended.
Standing Committee amendment to LB 1251:
AM2371
1. On page 3, line 5 after the period insert "The Tax Commissioner may waive the penalty provided in this section upon a showing of good cause.".

LEGISLATIVE BILL 928. Indefinitely postponed.
LEGISLATIVE BILL 947. Indefinitely postponed.
LEGISLATIVE BILL 1048. Indefinitely postponed.
LEGISLATIVE BILL 1055. Indefinitely postponed.
LEGISLATIVE BILL 1088. Indefinitely postponed.
LEGISLATIVE BILL 1188. Indefinitely postponed.
LEGISLATIVE BILL 1260. Indefinitely postponed.
LEGISLATIVE BILL 1302. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

GENERAL FILE

LEGISLATIVE BILL 155. Title read. Considered.

The Standing Committee amendment, AM1955, found on page 307, was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1125. Title read. Considered.

Advanced to E & R for review with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 950. Title read. Considered.

The Standing Committee amendment, AM2192, found on page 535, was considered.

Senator Brashear asked unanimous consent to be excused. No objections. So ordered.

Pending.

AMENDMENTS - Print in Journal

Senator Dierks filed the following amendment to LB 213:
AM2380

1. In the Standing Committee amendment, AM2068:

a. Insert the following sections:

"Section 1. (1) Any person who operates a dairy operation located within the brand inspection area may make application to the Nebraska Brand Committee for registration as a registered dairy. The application form shall be prescribed by the brand committee and shall be made available by the director of the brand committee for this purpose upon written request. If the applicant is an individual, the application shall include the applicant's social security number. After the brand committee has received a properly completed application, an agent of the brand committee shall within thirty days make an investigation to determine if the following requirements are satisfied:

(a) The operator's dairy must be permanently fenced; and

(b) The operator must identify each animal individually as directed by the Nebraska Brand Committee.

If the application is satisfactory, and upon payment of a registration fee by the applicant, the brand committee shall issue a registration number and registration certificate valid for one year unless rescinded for cause. If the registration is rescinded for cause, any registration fee shall be forfeited by the applicant. The fee for a registered dairy shall be not less than one hundred dollars nor more than six hundred fifty dollars for each such registered dairy having one thousand head or less capacity and an equal amount for each additional one thousand head capacity, or part thereof, of such registered dairy. The brand committee shall set the fee per one thousand head capacity so as to correspond with the inspection fee provided under section 54-1,108. The registration fee shall be paid on an annual basis.

(2) The brand committee may adopt and promulgate rules and regulations for the operation of registered dairies to assure that brand laws are complied with, that registered dairy shipping certificates are available, and that proper records are maintained. This section shall not be construed as prohibiting the operation of nonregistered dairies.

(3) A registered dairy is subject to inspection at any reasonable time at the discretion of the brand committee and its authorized agents, and the operator shall show cattle purchase records or certificates of inspection to cover all cattle in his or her dairy. Cattle having originated from any such registered dairy may from time to time, at the discretion of the committee, be subject to a spot-check inspection and audit at the destination to enable the brand committee to assure satisfactory compliance with the brand laws by the registered dairy operator.

(4) The operator of a registered dairy shall keep cattle inventory records. A form for such purpose shall be prescribed by the brand committee. The brand committee and its employees may from time to time make spot checks and audits of registered dairies and the records of cattle in such registered dairies.

(5) The brand committee may rescind or suspend the registration of any registered dairy operator who fails to cooperate or violates the laws or rules and regulations of the brand committee covering registered dairies.

Sec. 2. (1) Cattle sold or shipped from a registered dairy, for purposes other than direct slaughter or sale on any terminal market, are subject to the brand inspection under sections 54-1,110 to 54-1,119 and the seller or shipper shall bear the cost of such inspection at the regular fee.

(2) Any other cattle shipped from a registered dairy are not subject to brand inspection at origin or destination, but the shipper must have a shipping certificate from the registered dairy. The shipping certificate form shall be prescribed by the Nebraska Brand Committee and shall show the registered dairy operator's name, registration number, date shipped, destination, agency receiving the cattle, number of head in the shipment, and sex. The shipping certificate shall be completed in triplicate by the registered dairy operator at the time of shipment, and one copy thereof shall be delivered to the brand inspector at the market along with shipment, if applicable, one copy shall be sent to the brand committee by the tenth day of the following month, and one copy shall be retained by the registered dairy operator. If a shipping certificate does not accompany a shipment of cattle from a registered dairy to any destination where brand inspection is maintained by the brand committee, all such cattle are subject to a brand inspection and inspection fees shall be charged for the service.

(3) Any cattle originating in a state that has a brand inspection agency and which are accompanied by a certificate of inspection or brand clearance issued by such agency may be moved directly from the point of origin into a registered dairy. Any cattle not accompanied by such a certificate of inspection or brand clearance or by satisfactory evidence of ownership from states or portions of states not having brand inspection shall be inspected for brands by the Nebraska Brand Committee within a reasonable time after arrival at a registered dairy, and the inspection fee provided under section 54-1,108 shall be collected by the brand inspector at the time the inspection is performed.

Sec. 3. Section 54-170, Revised Statutes Supplement, 1999, is amended to read:

54-170. Sections 54-170 to 54-1,127 and sections 1 and 2 of this act shall be known and may be cited as the Livestock Brand Act.

Sec. 6. Section 54-1,110, Revised Statutes Supplement, 1999, is amended to read:

54-1,110. (1) Except as provided in subsections (2) and (3) of this section, no person shall move, in any manner, cattle from a point within the brand inspection area to a point outside the brand inspection area unless such cattle first have a brand inspection by the Nebraska Brand Committee and a certificate of inspection is issued. A copy of such certificate shall accompany the cattle and shall be retained by all persons moving such cattle as a permanent record.

(2) Cattle in a registered feedlot registered ~~pursuant to~~

under sections 54-1,120 to 54-1,122 or a registered dairy registered under sections 1 and 2 of this act are not subject to the brand inspection of subsection (1) of this section. Possession by the shipper or trucker of a shipping certificate from the registered feedlot constitutes compliance if the cattle being shipped are as represented on such shipping certificate.

(3) If the line designating the brand inspection area divides a farm or ranch or lies between noncontiguous parcels of land which are owned or operated by the same cattle owner or owners, a permit may be issued, at the discretion of the Nebraska Brand Committee, to the owner or owners of cattle on such farm, ranch, or parcels of land to move the cattle in and out of the brand inspection area without inspection. If the line designating the brand inspection area lies between a farm or ranch and nearby veterinary medical facilities, a permit may be issued, at the discretion of the brand committee, to the owner or owners of cattle on such farm or ranch to move the cattle in and out of the brand inspection area without inspection to obtain care from the veterinary medical facilities. The brand committee shall issue initial permits only after receiving an application which includes an application fee of ten dollars. The brand committee shall mail all current permitholders an annual renewal notice, for January 1 renewal, which requires a renewal fee of ten dollars. If the permit conditions still exist, the cattle owner or owners may renew the permit.

(4) No person shall sell any cattle knowing that the cattle are to be moved, in any manner, in violation of this section. Proof of shipment or removal of the cattle from the brand inspection area by the buyer or his or her agent is prima facie proof of knowledge that sale was had for removal from the brand inspection area.

(5) In cases of prosecution for violation of this section, venue may be established in the county of origin or any other county through which the cattle may pass in leaving the brand inspection area.

Sec. 7. Section 54-1,111, Revised Statutes Supplement, 1999, is amended to read:

54-1,111. (1) Except as provided in subsection (2) of this section, no person shall sell or trade any cattle located within the brand inspection area, nor shall any person buy or purchase any such cattle unless the cattle have been inspected for brands and ownership and a certificate of inspection or brand clearance has been issued by the Nebraska Brand Committee. Any person selling such cattle shall present to the brand inspector a properly executed bill of sale, brand clearance, or other satisfactory evidence of ownership which shall be filed with the original certificate of inspection in the records of the brand committee. Any time a brand inspection is required by law, a brand investigator or brand inspector may transfer evidence of ownership of such cattle from a seller to a buyer by issuing a certificate of inspection.

(2) A brand inspection is not required:

(a) For cattle of a registered feedlot registered under sections 54-1,120 to 54-1,122 shipped for direct slaughter or sale on any terminal market;

(b) For cattle of a registered dairy registered under sections 1 and 2 of this act shipped for direct slaughter or sale on any terminal market;

(c) ~~(b)~~ For cattle that are transferred to a family corporation when all the shares of capital stock of the corporation are owned by the husband, wife, children, or grandchildren of the transferor and there is no consideration for the transfer other than the issuance of stock of the corporation to such family members;

(d) ~~(c)~~ When the change of ownership of cattle is a change in form only and the surviving interests are in the exact proportion as the original interests of ownership. When there is a change of ownership described in subdivision ~~(2)(b) or (c)~~ (2)(c) or (d) of this section, an affidavit, on a form prescribed by the Nebraska Brand Committee, signed by the transferor and stating the nature of the transfer and the number of cattle involved and the brands presently on the cattle, shall be filed with the brand committee;

(e) ~~(d)~~ For cattle sold or purchased for educational or exhibition purposes or other recognized youth activities if a properly executed bill of sale is exchanged and presented upon demand. Educational or exhibition purpose means cattle sold or purchased for the purpose of being fed, bred, managed, or tended in a program designed to demonstrate or instruct in the use of various feed rations, the selection of individuals of certain physical conformation or breeds, the measurement and recording of rate of gain in weight or fat content of meat or milk produced, or the preparation of cattle for the purpose of exhibition or for judging as to quality and conformation;

(f) ~~(e)~~ For calves under the age of thirty days sold or purchased at private treaty if a bill of sale is exchanged and presented upon demand; and

(g) ~~(f)~~ For purebred cattle raised by the seller and individually registered with an organized breed association if a properly executed bill of sale is exchanged and presented upon demand.

Sec. 8. Section 54-1,121, Revised Statutes Supplement, 1999, is amended to read:

54-1,121. Cattle sold or shipped from a registered feedlot, for purposes other than direct slaughter or sale on any terminal market, are subject to the brand inspection under sections 54-1,110 ~~and~~ to 54-1,119, and the seller or shipper shall bear the cost of such inspection at the regular fee.

Any other cattle shipped from a registered feedlot are not subject to brand inspection at origin or destination, but the shipper must have a shipping certificate from the registered feedlot. The shipping certificate form shall be prescribed by the Nebraska Brand Committee and shall show the registered feedlot operator's name, registration number, date shipped, destination, agency receiving the cattle, number of head in the shipment, and sex. The shipping certificate shall be completed in triplicate by the registered feedlot operator at the time of shipment, and one copy thereof shall be delivered to the brand inspector at the market along with shipment, if applicable, one copy shall be sent to the brand committee by the tenth day of the following month, and one copy shall be retained by the registered feedlot operator. If a shipping certificate does not accompany a shipment of cattle from a registered feedlot to any destination where brand inspection is maintained by the brand committee, all such cattle shall be subject to a brand inspection and inspection fees shall be charged for the service.

Sec. 9. Section 54-1185, Revised Statutes Supplement, 1999, is amended to read:

54-1185. Inspection provided for in sections 54-1183 to 54-1185 shall be conducted in the manner established by the Livestock Brand Act. The owner or operator making such election ~~shall~~ may be required to guarantee to the Nebraska Brand Committee that inspection fees derived from such livestock auction market or packing plant will be sufficient, in each ~~six-month~~ twelve-month period, to pay the per diem and mileage of the inspectors required and that he or she will reimburse the committee for any deficit incurred in any such ~~six-month~~ twelve-month period. Such guarantee shall be secured by a corporate surety bond, to be approved by the Secretary of State, in a penal sum to be established by the Nebraska Brand Committee.

Sec. 10. Section 54-2014, Revised Statutes Supplement, 1999, is amended to read:

54-2014. Inspection provided for in this section and sections 54-2012 and 54-2013 shall be conducted in the manner established by the Livestock Brand Act. The livestock market operator making such election ~~shall~~ may be required to guarantee to the Nebraska Brand Committee that inspection fees derived from such livestock market shall be sufficient, in each ~~six-month~~ twelve-month period, to pay the per diem and mileage of the inspectors required and that he or she will reimburse the committee for any deficit incurred in any such ~~six-month~~ twelve-month period. Such guarantee shall be secured by a corporate surety bond, to be approved by the Secretary of State, in a penal sum to be established by the Nebraska Brand Committee.

Sec. 12. Since an emergency exists, this act takes effect when passed and approved according to law.";

b. On page 2, after line 3 insert:

(3) It shall be unlawful to knowingly maintain a herd containing one or more animals which the possessor has branded, or caused to be branded, in violation of this section or any other provision of the Livestock Brand Act.";

c. On page 3, line 27, strike "54-198 and 45-199" and insert "54-170, 54-198, 54-199, 54-1,110, 54-1,111, 54-1,121, 54-1185, and 54-2014"; and

d. Renumber the remaining sections accordingly.

Senator Wickersham filed the following amendment to LB 557:
AM2391

(Amendments to Standing Committee amendments, AM0855)

1. On page 1, line 3, strike "1999" and insert "2000".

RESOLUTION

LEGISLATIVE RESOLUTION 303. Introduced by Connealy, 16.

WHEREAS, David Schroeder, an esteemed resident of West Point and a student at West Point High School, has achieved national recognition for exemplary volunteer service by receiving a 2000 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Mr. Schroeder earned this award by giving generously of his time and energy to implement a bike safety clinic for youth in West Point; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Mr. Schroeder who use their considerable talents and resources to serve others.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature hereby congratulates and honors Mr. Schroeder as a recipient of a 2000 Prudential Spirit of Community Award, recognizes his outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for his continued success and happiness.

Laid over.

ATTORNEY GENERAL'S OPINIONS

Opinion #00007

DATE: February 10, 2000

SUBJECT:	LB 1415; Associational Rights Of Charitable And Fraternal Organizations Under The First Amendment To The United States Constitution.
REQUESTED BY:	Senator Mark Quandahl Nebraska State Legislature
WRITTEN BY:	Don Stenberg, Attorney General Dale A. Comer, Assistant Attorney General

Neb. Rev. Stat. §§ 21-608 through 21-624 (1997) deal with charitable and fraternal societies in Nebraska, and examples of specific organizations subject to those statutes include: The Grand Lodge, Ancient Free and Accepted Masons, The Benevolent and Protective Order of Elks of the United States of America, the Knights of Columbus, The Grand Lodge Fraternal Order of Eagles, The American Legion Auxiliary, and various college fraternities and sororities. Among other things, those statutes treat such organizations as corporations, and allow them to sue and be sued, to hold and convey real and personal property, and to "do all other things usually done by corporations for the purpose for which organized." Neb. Rev. Stat. § 21-609 (1997).

You have introduced LB 1415 which would make several changes in those statutes pertaining to charitable and fraternal societies. For example, § 1 of the bill would add the following language to § 21-609:

> Each [charitable and fraternal] organization listed in section 21-608 and any such subordinate organization shall conduct its affairs, including the acquisition, retention, governance, and expulsion of members, in accordance with its charter, constitution, and bylaws as filed with the Secretary of State or the clerk of the county court. The relationship between each organization and its members shall be contractual. If an organization violates its own charter, constitution, or bylaws with respect to any member or abridges any constitutional or statutory rights of any member, such member may institute an action in the district court of Lancaster County or the district court of the county in which such organization meets or maintains an office or place of business.

In your opinion request letter, you indicate that you are concerned as to whether a portion of LB 1415 "may be unconstitutional under the Freedom of Association clause held in the First Amendment to the U.S. Constitution." From discussions with your staff, we understand that the portion of the bill which gives rise to your concern is the portion of the bill quoted above. We also understand from discussions with your staff that the associational rights at issue are the rights of the charitable or fraternal organizations themselves.

1. First Amendment Right of Association

The United States Supreme Court addressed the extent to which the federal Constitution and the First Amendment protect the associational freedom of private clubs and organizations in several cases during the 1980's. ***City of Dallas v. Stanglin***, 490 U.S. 19 (1989); ***New York State Club Association, Inc. v. City of New York***, 487 U.S. 1 (1988); ***Board of Directors of Rotary Int'l v. Rotary Club of Duarte***, 481 U.S. 537 (1987); ***Roberts v. United States Jaycees***, 468 U.S. 609 (1984). Those various cases hold that the Constitution protects two types of associational freedom:

> First, the Court has held that the Constitution protects against unjustified government interference with an individual's choice to enter into and maintain certain intimate or private relationships. Second, the Court has upheld the freedom of individuals to associate for the purpose of engaging in protected speech or religious activities.

Rotary Club of Duarte, 481 U.S. at 544.

The first type of associational freedom, the right of intimate or private association, includes relationships such as marriage, the begetting and bearing of children, child rearing and education and cohabitation with relatives. ***Id.*** at 545. It also includes private, non-familial relationships which presuppose "deep attachments and commitments to the necessarily few other individuals with whom one shares not only a special community of thoughts, experiences, and beliefs but also distinctly personal aspects of one's life." ***Roberts***, 468 U.S. at 619-620. Factors which should be considered in determining whether a particular association is sufficiently private to warrant constitutional protection in that context include: 1) the organization's size, 2) its purposes, 3) the selectivity in choosing its members, 4) the congeniality among its members, 5) whether others are excluded from critical aspects of the relationship, 6) the history of the organization, 7) the use of any association facilities by nonmembers, 8) whether the association advertises for members and 9) whether the association is nonprofit or for profit. ***Louisiana Debating and Literary Association v. The City of New Orleans***, 42 F.3d 1483 (5th Cir. 1995).

The second type of associational freedom, the right of expressive association, involves a "right to associate with others in pursuit of a wide variety of political, social, economic, educational, religious, and cultural ends." ***Roberts***, 468 U.S. at 622. Essentially, it involves the right to combine with others to advance one's views, or to form associations with others that advocate public or private viewpoints. ***New York State Club Association***, 487 U.S. at 13.

Neither type of associational freedom is absolute. ***Roberts***, 468 at 623; ***Louisiana Debating and Literary Association***, 42 F.3d at 1498. However, infringement on those freedoms by state action requires a showing that the state action serves a compelling state interest which cannot be achieved through means significantly less restrictive of associational freedoms. ***Id.***

2. Constitutionality of LB 1415

At the outset, it appears to us, based upon the standards set out above and a number of cases in this area, that there is a significant issue as to whether many of the charitable and fraternal societies potentially subject to LB 1415 and the statutes dealing with those organizations are sufficiently private so as to warrant constitutional protection for the right of intimate or private association. ***City of Dallas v. Stanglin***, 490 U.S. 19 (1989)(teenage dance halls with more than 1000 persons in attendance do not possess protected right of association); ***New York State Club Association, Inc. v. City of New York***, 487 U.S. 1 (1988)(private clubs with more than 400 members which provided regular meal service to and received payments from nonmembers did not possess protected right of association); ***Board of Directors of Rotary Int'l v. Rotary Club of Duarte***, 481 U.S. 537 (1987)(requiring local Rotary Club to admit women members did not abridge any protected right of association); ***Roberts v. United States Jaycees***, 468 U.S. 609 (1984)(requiring National Jaycees organization to admit women members did not abridge any protected right of association); ***Salvation Army v. Department of Community Affairs of the State of New Jersey***, 919 F.2d 183 (3rd Cir. 1990)(family center for disadvantaged persons run by the Salvation Army could be subjected to state statutes regulating boarding houses without violating right of intimate or private association); ***Watson v. Fraternal Order of Eagles***, 915 F.2d 235 (6th Cir. 1990)(local Fraternal Order of Eagles club did not possess protected right of association). In addition, we suspect that many, if not most, of the organizations potentially subject to LB 1415 and the statutes dealing with charitable and fraternal societies do not take positions on public questions or take steps to advocate particular public or private viewpoints so as to implicate the right of expressive association. Nevertheless, the constitutionality of a statute must be judged, not by what has been done or possibly may be done under it, but by what the statute authorizes to be done under its provisions. ***State v. Kelley***, 249 Neb. 99, 541 N.W.2d 645 (1996). The statutes involving charitable and fraternal societies and LB 1415 could potentially reach private organizations and/or expressive association. Therefore, we believe that those statutes must be measured under the applicable constitutional standards.

In that regard, there is case law in this area which indicates that state action which impinges upon First Amendment associational rights is actionable only if it directly and substantially interferes with those rights. ***Long v. UAW***, 485 U.S. 360 (1988); ***Fighting Finest, Inc. v. Bretton***, 95 F.3d 224 (2nd Cir. 1996). As noted In the ***Bretton*** case:

> The Supreme Court has held that, consonant with the First Amendment, government may engage in some conduct that incidentally inhibits protected forms of association. Though such inhibiting conduct might make it more difficult for individuals to exercise their freedom of association, this consequence does not, without more, result in a violation of the First Amendment. To be cognizable, the interference

> with associational rights must be "direct and substantial" or "significant."

Id. at 228 (citations omitted).

In the present case, we do not believe that any interference with associational rights occasioned by the provisions at issue in LB 1415 would be direct and substantial or significant. Section 1 of the bill provides that members of a charitable or fraternal society have contractual rights growing out of that organization's charter, constitution and bylaws which are enforceable by an action in district court. However, Section 1 of LB 1415 does not prohibit charitable or fraternal societies from expelling or taking other action against their members consistent with their charter documents. Nor does that section require charitable or fraternal societies to associate or affiliate with particular individuals. It might be argued that Section 1 of LB 1415 creates a new cause of action against charitable or fraternal organizations based upon abridgement of constitutional or statutory rights. Nevertheless, we believe a better reading of that section is that it simply gives district courts clearer subject matter jurisdiction over any existing constitutional or statutory actions. For those reasons, we believe that any impact of Section 1 of LB 1415 on the associational rights of charitable and fraternal societies is only incidental. Therefore, in our view, the provisions at issue in the bill would not violate the First Amendment associational rights of the organizations subject to the legislation.

Sincerely yours,
DON STENBERG
Attorney General
(Signed) Dale A. Comer
Assistant Attorney General

cc. Patrick J. O'Donnell
Clerk of the Legislature
05-157-10.15

Opinion #00008

DATE:	February 08, 2000
SUBJECT:	Neb. Rev. Stat. §54-2404(3)(c)(1999 Supp.); Authority of Department of Environmental Quality to Deny or Restrict Livestock Waste Control Facility Permits to Protect Cold Water Class A Streams.
REQUESTED BY:	Senator Gene Tyson, Legislative District 19
WRITTEN BY:	Don Stenberg, Attorney General Mark D. Starr, Assistant Attorney General

According to your letter, you have offered Legislative Bill 1426 in an attempt to clarify the authority of the Nebraska Department of Environmental Quality (NDEQ) with regard to the denial or modification of a permit for a livestock waste control facility. You have indicated an intention to withdraw the bill if NDEQ already has the authority under Neb. Rev. Stat. § 54-2404(3)(c) (1999 Supp.), to deny or modify a permit due to the potential degradation of a Cold Water Class A Stream.

Ordinarily, we will not give an opinion to the Legislature concerning existing legislation, but because an interpretation of existing law directly bears upon your plans for proposed legislation, we will attempt to answer your question. Your letter indicates that you have a proposed dairy in mind, but you have not supplied enough facts for us to address that particular situation. Consequently, we will limit our response to the operation of section 54-2404(3)(c) (1999 Supp.), as it is this provision which appears to be the focus of your inquiry.

The section in question gives NDEQ the authority to "deny or restrict an application for a permit regarding a transfer or modification of an existing permit based upon the potential degradation of a cold water class A stream." By its terms, it applies only where one requests a transfer or modification of an existing permit.

The reference to an application for a transfer seemingly contemplates the situation where there is a change in ownership of the livestock operation and the new owner seeks to operate under the authority of the permit issued to the previous owner. *See e.g.*, Neb. Rev. Stat. § 54-2407(3) and § 54-2409(3) (Supp. 1999), which do not expressly mandate such an application but appear to envision that one would be filed. An application for a modification may be triggered by a number of things. Examples would be a proposed increase in the number of animal units beyond what the permit allows or in excess of the design capacity of the permitted class of the livestock waste control facility.

We do not believe section 54-2404(3)(c) addresses an application for a construction permit for a new livestock waste control facility or the expansion of an existing facility which does not possess a permit. If NDEQ is to have the authority to deny an application for a new permit based upon the potential degradation of a cold water class A stream, then such authority must be found elsewhere. We would add that it is the potential for pollution which triggers the need for a permit in the first place. See Neb. Rev. Stat. §§ 54-2404(1)(1999 Supp.) and 81-1504(20) (1999).

It is hoped that this discussion has helped answer your question about the extent of NDEQ's authority under section 54-2404(3)(c) so that you may make an informed assessment of the need for the legislation you have in mind.

Sincerely,

Don Stenberg
Attorney General
(Signed) Mark D. Starr
Assistant Attorney General

26-205-10.3

ANNOUNCEMENT

Senator Quandahl designates LB 929 as his priority bill.

UNANIMOUS CONSENT - Add Cointroducers

Senator Lynch asked unanimous consent to have his name added as cointroducer to LB 1302. No objections. So ordered.

Senator Quandahl asked unanimous consent to have his name added as cointroducer to LB 929. No objections. So ordered.

Senator Kiel asked unanimous consent to have her name added as cointroducer to LB 155. No objections. So ordered.

VISITORS

Visitors to the Chamber were 7 students and teacher from Lincoln High School, Lincoln; and Senator Matzke's grandson, Jered Matzke, and Dustin Hegy from Seward.

The Doctor of the Day was Dr. Jay Matzke from Seward.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Vrtiska, the Legislature adjourned until 9:00 a.m., Monday, February 14, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-SIXTH DAY - FEBRUARY 14, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 14, 2000

PRAYER

The prayer was offered by Pastor Lowell Hennigs, Our Savior Lutheran Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present Senators Beutler, Brashear, Brown, Hartnett, Kiel, Matzke, D. Pederson, Raikes, Robak, and Schrock who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fifth day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 900. Placed on Select File as amended.
E & R amendment to LB 900:
AM7192

1. On page 1, line 13, after "46-230," insert "46-231,".
2. On page 2, line 23, after the semicolon insert "to change provisions relating to the appropriation of water;".
3. On page 35, line 21, strike "fund", show as stricken, and insert "Nebraska Resources Development Fund".
4. On page 62, line 11, strike the comma and show as stricken.
5. On page 93, lines 14 and 15, reinstate the stricken matter.

LEGISLATIVE BILL 900A. Placed on Select File.

LEGISLATIVE BILL 1258. Placed on Select File as amended.
E & R amendment to LB 1258:
AM7191
1. On page 1, line 5, strike "and" and insert "an".

LEGISLATIVE BILL 659. Placed on Select File as amended.
(E & R amendment, AM7190, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 659A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

ANNOUNCEMENTS

The Banking, Commerce and Insurance Committee designates LB 932 as its priority bill.

The Transportation and Telecommunications Committee designates LB 951 and LB 1285 as its priority bills.

UNANIMOUS CONSENT - Members Excused

Senators Wickersham and Quandahl asked unanimous consent to be excused until they return. No objections. So ordered.

MOTION - Approve Appointments

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 632: Board of Public Roads Classifications and Standards - James Anderson, James Bauer, Larry Kisby, Richard Ruby, Timothy Schram, Darold Tagge, Henry Thieman, and Henry Vieregger.

Voting in the affirmative, 37:

Aguilar
Baker
Bohlke
Bourne
Bromm
Bruning
Byars
Connealy
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Janssen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Raikes
Redfield
Schimek
Schmitt
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 3:

Coordsen	Hudkins	Jensen

Excused and not voting, 8:

Beutler	Brashear	Brown	Hartnett	Quandahl
Robak	Schrock	Wickersham		

The appointments were confirmed with 37 ayes, 1 nay, 3 present and not voting, and 8 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 950. Considered.

The Standing Committee amendment, AM2192, found on page 535 and considered on page 642, was renewed.

SENATOR CUDABACK PRESIDING

The Standing Committee amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Byars renewed his pending amendment, AM2343, found on page 633.

The Byars amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Schimek asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 950A. Title read. Considered.

Advanced to E & R for review with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 957A. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 957, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

STANDING COMMITTEE REPORT
Judiciary

The Judiciary Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Board of Parole
  Mike Gomez

Crime Victims Reparation Committee
  William Brueggemann
  Scot Ford

VOTE: Aye: Senators Baker, Bourne, Brashear, Connealy, Hilgert, Dw. Pedersen, and Robak. Nay: None. Absent: Senator Chambers.

(Signed) Kermit A. Brashear, Chairperson

ANNOUNCEMENTS

The Revenue Committee designates LB 1138 as its priority bill.

Senator Dierks designates LB 833 as his priority bill.

Senator D. Pederson designates LB 1003 as his priority bill.

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 994. Placed on General File.

LEGISLATIVE BILL 130. Indefinitely postponed.
LEGISLATIVE BILL 256. Indefinitely postponed.
LEGISLATIVE BILL 265. Indefinitely postponed.
LEGISLATIVE BILL 313. Indefinitely postponed.
LEGISLATIVE BILL 406. Indefinitely postponed.
LEGISLATIVE BILL 408. Indefinitely postponed.
LEGISLATIVE BILL 435. Indefinitely postponed.

LEGISLATIVE BILL 516. Indefinitely postponed.
LEGISLATIVE BILL 577. Indefinitely postponed.
LEGISLATIVE BILL 593. Indefinitely postponed.
LEGISLATIVE BILL 614. Indefinitely postponed.
LEGISLATIVE BILL 615. Indefinitely postponed.
LEGISLATIVE BILL 651. Indefinitely postponed.
LEGISLATIVE BILL 798. Indefinitely postponed.
LEGISLATIVE BILL 824. Indefinitely postponed.
LEGISLATIVE BILL 850. Indefinitely postponed.
LEGISLATIVE BILL 926. Indefinitely postponed.
LEGISLATIVE BILL 927. Indefinitely postponed.
LEGISLATIVE BILL 940. Indefinitely postponed.
LEGISLATIVE BILL 1133. Indefinitely postponed.
LEGISLATIVE BILL 1203. Indefinitely postponed.

(Signed) Kermit A. Brashear, Chairperson

Revenue

LEGISLATIVE BILL 1279. Placed on General File as amended.
Standing Committee amendment to LB 1279:
AM2389

1. On page 2, line 26, after "aid" insert "as defined in section 13-518".
2. On page 4, line 4, strike "safety transportation" and insert "transportation safety".
3. On page 5, lines 6 and 15 through 19, reinstate the stricken matter and strike the new matter.
4. On page 9, strike beginning with "volunteer" in line 23 through the first comma in line 24; and strike the new matter in line 26 and insert "the Joint Public Agency Act which has separately levied a property tax based on legal authority for a joint public agency to levy such a tax independent of the public agencies forming such joint public agency,".
5. On page 10, strike beginning with line 5 through the period in line 7 and show as stricken.

LEGISLATIVE BILL 1305. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1076. Placed on General File.
LEGISLATIVE BILL 1361. Placed on General File.
LEGISLATIVE BILL 1431. Placed on General File.

LEGISLATIVE BILL 1097. Placed on General File as amended.
Standing Committee amendment to LB 1097:

AM2360

1. Strike original section 2 and insert the following section:

"Sec. 2. Section 86-1911, Reissue Revised Statutes of Nebraska, is amended to read:

86-1911. (1) No telecommunications company shall initiate or bill for, either directly or through an agent, additional ~~telecommunications~~ services that it provides which are not required by the Public Service Commission to be offered and for which the subscriber did not explicitly request or subscribe. If ~~(a) a charge is assessed on a per-use basis for a service described in this subsection and (b)~~ the subscriber notifies ~~the providing~~ such telecommunications company that the subscriber did not utilize the service or the subscriber did not authorize the utilization of the service, ~~the providing telecommunications~~ such company shall initiate a refund of the charge or may apply the charge as a credit to the subscriber's next monthly bill with the approval of the subscriber. With regard to direct dialed telecommunications services, evidence that a call was dialed is prima facie evidence of authorization by the subscriber. Charges for collect calls shall be exempt from this section.

(2) If a providing telecommunications company receives a notification pursuant to ~~subdivision (1)(b)~~ subsection (1) of this section, the company shall inform the subscriber of the ability, if possible, to block services from future use by the subscriber and shall block the services when possible from future use by the subscriber if the subscriber so requests. If a subscriber requests that the company not block the service or later requests to have the block lifted, the subscriber shall be responsible for charges caused by the future utilization of such service. The company shall not charge a recurring fee for blocking such service.".

LEGISLATIVE BILL 1357. Placed on General File as amended.
Standing Committee amendment to LB 1357:
AM2356

1. On page 3, line 20, after "ordinance" insert "or resolution"; and in line 21 strike "on any highway or".

LEGISLATIVE BILL 1404. Placed on General File as amended.
Standing Committee amendment to LB 1404:
AM2306

1. On page 3, strike lines 24 through 28.
2. On page 4, strike lines 1 through 9.

LEGISLATIVE BILL 1446. Indefinitely postponed.

(Signed) Curt Bromm, Chairperson

Health and Human Services

LEGISLATIVE BILL 1108. Placed on General File.
LEGISLATIVE BILL 1189. Placed on General File.

(Signed) Jim Jensen, Chairperson

ATTORNEY GENERAL'S OPINION

Opinion #00009

DATE:	February 8, 2000
SUBJECT:	LB 1437 - Family Farm and Ranch Transfer Act. Constitutionality and Applicability of this Act to Neb. Const. art. XII, § 8.
REQUESTED BY:	Merton L. "Cap" Dierks, Nebraska State Senator
WRITTEN BY:	Don Stenberg, Attorney General William R. Barger, Assistant Attorney General

We have received your request for an opinion on two questions relating to LB 1437, the Family Farm and Ranch Transfer Act. In particular, you ask whether LB 1437 would violate Neb. Const. art. XII, § 8 to the extent the legislation would permit limited liability entities formed for purposes of section 3 of LB 1437 to own agricultural land or engage in farming or ranching. Second, you ask if LB 1437 enables the formation of a limited liability entity for the purposes of section 3 of LB 1437 that would not be in violation of Neb. Const. art. XII, § 8. LB 1437 is a bill that purportedly provides an exception to the constitutional prohibition on certain types of agricultural activities by corporations for inter-generational transfers of agricultural operations. It should be noted that a similar bill to LB 1437 was introduced during the 1999 session of the Nebraska Legislature, and that a formal opinion was issued by our office on LB 274. Op. Att'y Gen. No. 99007 (March 4, 1999). Many of the same issues in that opinion are discussed herein.

I. DESCRIPTION OF CURRENT LAW AND PROPOSED BILL

Neb. Const. art. XII, § 8, otherwise known as "Initiative 300", was passed into law by the voters of Nebraska on November 2, 1982. Initiative Measure No. 300 was placed on the ballot by the voter petition process contained in Neb. Const. art. III, § 2. This initiative provided a general prohibition on corporations, trusts and limited partnerships owning agricultural land, or engaging in farming or ranching. It states:

> No corporation or syndicate shall acquire, or otherwise obtain an interest, whether legal, beneficial, or otherwise, in any title to real estate used for farming or ranching in this state, or engage in farming or ranching.

Neb. Const. art. XII, § 8(1).

This prohibition on limited liability entities, which includes corporations and syndicates, has certain exceptions contained in Neb. Const. art. XII, § 8(1)(A) - (N). In regards to LB 1437, the definition of "syndicate" is important, and it states:

> Syndicate shall mean any limited partnership organized under the laws of any state of the United States or any country, other than limited partnerships in which the partners are members of a family, or a trust created for the benefit of members of a family, related to one another within the fourth degree of kindred according to the rules of civil law, or their spouses, at least one of whom is a person residing on or actively engaged in the day to day labor and management of the farm or ranch, and none of whom are nonresident aliens. This shall not include general partnerships.

The analysis of the "syndicate" definition is relevant to LB 1437, which would amend the current statutory scheme controlling "syndicates". This statutory scheme provides essentially the same limitations upon limited liability companies and limited liability partnerships in regards to agricultural property by statute as the constitution provides for limited partnerships. The statutes and constitution define "syndicate" to include all limited liability entities which are not corporations, which includes limited partnerships (Neb. Const. art. XII, § 8(1)), limited liability companies (Neb. Rev. Stat. § 21-2602(2) (1997)), or limited liability partnerships (Neb. Rev. Stat. §§ 67-306(3) & 67-409(2) (1996, Cum. Supp. 1998)). A similar exception to the rule against owning agricultural interests exists for a "family farm" under these statutes as is stated in the "family farm" limited partnership exception above. The exception allows members of a family to own the limited liability entity, provided that those owners are related to the other owners " . . . within the fourth degree of kindred according to the rules of civil law, or their spouses . . . " and that at least one owner is a " . . . person residing on or actively engaged in the day-to-day labor and management of the farm or ranch." Neb. Const. art. XII, § 8(1); Neb. Rev. Stat. §§ 21-2602(2), 67-306(3) & 67-409(2). A more detailed description of this "family farm" exception is examined in Op. Att'y Gen. No. 99007, along with a description of the treatment of partnerships under the Uniform Partnership Act and the Uniform Partnership Act of 1998.

LB 1437 proposes an expansion of the exceptions allowed for "syndicates" under the above scheme. In particular, section 3 of LB 1437 states:

> A limited liability company, limited partnership, or limited liability partnership may be formed for the purpose of transferring ownership interest in a family farm or ranch operation from a senior member or partner to a junior member or partner as provided in the Family Farm and

> Ranch Transfer Act. The articles of organization of a limited liability partnership, or the registration application or statement of qualification of a limited liability partnership formed pursuant to this section shall include a description of the time frame and the financial arrangements concerning the transfer of ownership interests in agricultural land in addition to any other information as required by law.

1999 LB 1437 §3.

This section would allow a "senior member or partner" to transfer his or her ownership interest to a "junior member or partner". ***Id.*** Senior members or partners and junior members or partners are defined in LB 1437 § 2 as:

> Junior member or partner means a family farm or ranch operation:
>
> (a) Which is actively engaged in farming or ranching; and
>
> (b) Whose operator (i) is younger than sixty-five years of age at the time the entity is formed pursuant to section 3 of this act, (ii) is actively engaged in such farming or ranching, and (iii) holds, either individually or with a spouse jointly or individually, a majority of the ownership interest in the operation of the junior member;
>
> * * * * * * * * * * * * * *
>
> Senior member or partner means a family farm or ranch operation:
>
> (a) Which owns agricultural land; and
>
> (b) Whose manager (i) is at least sixty-five years of age at the time the entity is formed pursuant to section 3 of this act, (ii) has been actively engaged in farming or ranching on land owned by the senior member prior to reaching sixty-five years of age, and (iii) holds, either individually or with a spouse jointly or individually a majority of the ownership interest in the operation of the senior member.

1999 LB 1437 §§ 2(2) and 2(4).

These senior members or partners and junior members or partners can form "family farm or ranch operations", which are essentially the "family farm" exceptions for corporations and syndicates described in the above constitutional amendment and statutes. These "family farm or ranch operations" can also include sole proprietors and general partnerships. These "family farm or ranch operations" are defined to mean:

> Family farm or ranch operation means a sole proprietorship or general partnership engaged in farming or ranching or the ownership of agricultural land, a limited liability company pursuant to section (2)(a) of section 21-2602, a limited partnership pursuant to subdivision (2)(a) of

> section 67-238, a limited liability partnership pursuant to subdivision (3)(a) of section 67-306 or subdivision (2)(a) or section 67-409, or a family farm or ranch corporation as defined in Article XII, section 8, of the Constitution of Nebraska.

1999 LB 1437 § 2(1).

Further, these "family farm or ranch operations" have specific requirements upon their operator (in the case of a "junior member") or their manager (in the case of a "senior member"). Manager or operator means:

> [A]n individual who is in a family farm or ranch operation and who is (a) the sole proprietor of a sole proprietorship or a partner if a general partnership or (b) a partner of such limited partnership or limited liability partnership, a member of a limited liability company, or a stockholder of a family farm or ranch corporation if such partner, member, or stockholder is related to other partners, members, or stockholders within the fourth degree of kindred according to the rules of civil law.

1999 LB 1437 § 2(3).

Last of all, LB 1437 amends the existing statutes on limited liability companies, limited partnerships and limited liability partnerships. It is important to note that these senior and junior members or partners do not need to be related as family. To fully understand the effect of this bill, we must compare it to the current statutes and constitution.

II. RELATIONSHIP OF LB 1437 TO NEB. CONST. ART. XII, § 8(1) AND ITS EXISTING STATUTORY SCHEME

Your question of whether LB 1437 violates Neb. Const. art. XII, § 8(1) can be answered by considering the effect enactment of LB 1437 would have. Restated, can LB 1437 allow "syndicates", in the form of "non-family" limited liability companies, limited partnerships and limited liability partnerships, to be formed for the purpose of owning agricultural land, or to engage in farming or ranching, and remain within the limitations of Neb. Const. art. XII, § 8(1)? We will examine each of these limited liability entities to determine what the net effect of this bill would be.

A. LIMITED PARTNERSHIPS

Limited partnerships (hereinafter "LPs") were in existence at the time Neb. Const. art. XII, § 8 was enacted in Nebraska. Limited partners do not have personal liability beyond their obligations to contribute to the partnership, as long as they do not take part in the control of the business.[1] This limited liability for limited partners ends if the limited partner implies to creditors he or she is a general partner, or if he or she participates in the management of day-to-day affairs of the business.[2] To acquire this limited liability, the partners must file a certificate of limited partnership with the Nebraska Secretary of State. Neb. Rev. Stat. § 67-240.

LB 1437 allows a limited partnership to be formed which transfers ownership interest from a junior partner to a senior partner. 1999 LB 1437 § 3. The descriptions of who these junior and senior partners may be is contained in section 2 of LB 1437. Section 6 of LB 1437 further amends Neb. Rev. Stat. § 67-238 to define "syndicate" as it relates to Neb. Const. art. XII, § 8. This definition of "syndicate" codifies the "family farm LP" exception as defined in Neb. Const. art. XII, § 8(1), and further creates an exception for "non-family farm LPs" formed under the Family Farm and Ranch Transfer Act.

Since Neb. Const. art. XII, § 8 limits the types of LPs that may own agricultural land or engage in farming and ranching, is it permissible to create a statutory exception to the Neb. Const. art. XII, § 8 limitations? "A Constitution represents the supreme written will of the people regarding the framework for their government." ***Duggan v. Beerman***, 544 N.W.2d 68, 77, 249 Neb. 411, 421 (1996). By describing the types of LPs that may avoid the limitations upon "syndicates", it appears the Nebraska Constitution has provided only that "family farm LPs" as defined in Neb. Const. art. XII, § 8 can operate in Nebraska. Neb. Const. art. XII, § 8 does not appear to include any other exceptions for LPs to avoid the general prohibition against "syndicates" owning agricultural land or engaging in farming and ranching. "In ascertaining the intent of a constitutional provision from its language, the court may not supply any supposed omission, or add words to or take words from the provisions as framed." ***DeCamp v. State***, 594, N.W.2d 571, 573, 256 Neb. 892, 895 (1999)(citations omitted). Unless "non-family farm" LPs were included in Neb. Const. art. XII, § 8, then any further exception for "syndicates" would be inconsistent with the Constitution.

Neb. Const. art. XII, § 8 does allow for modification. However, these modifications are limited to further restrictions, as stated in the modification clause:

> The Nebraska Legislature may enact, by general law, further restrictions prohibiting certain agricultural operations that the legislature deems contrary to the intent of this section.

Neb. Const. art. XII, § 8.

LB 1437 does not propose " . . . further restrictions prohibiting certain agricultural operations . . . ", which includes LPs. This bill instead expands the definition of "syndicate" to include LPs not mentioned in the Constitution itself. Any modification of the definition of "syndicate" to include LPs not described in Neb. Const. art. XII, § 8 would be constitutionally suspect, as the Constitution can only be amended by a constitutional amendment. "In adopting the Constitution, the people have imposed upon themselves limitations on their ability to amend this fundamental law." ***Duggan v. Beerman***, 544 N.W.2d at 77, 249 Neb. at 421. LB 1437's definition of LPs is inconsistent with Neb. Const. art. XII, § 8.

B. LIMITED LIABILITY COMPANIES

In 1997, LB 631 was codified under Neb. Rev. Stat. §§ 21-2601 *et. seq.*, making the current form of limited liability companies available in Nebraska. Nebraska has recognized limited liability companies (hereinafter "LLCs") since 1993, and all 50 states plus the District of Columbia now recognize and enable organization of these entities.[3] The LLC is an entity that combines a partnership-like structure with corporate-like limited liability.[4] LLCs in Nebraska are much like corporations, in that they can last perpetually (Neb. Rev. Stat. § 21-2606(2)(a), they can have one or more members (Neb. Rev. Stat. § 21-2605), and they offer limited liability to their members and managers (Neb. Rev. Stat. §21-2612(1)). An LLC, if properly formed, is fundamentally taxed as a partnership and not as a C corporation.[5]

In 1982, when Neb. Const. art. XII, § 8(1) was enacted, LLCs did not in exist in Nebraska. Since their creation, Neb. Rev. Stat. § 21-2602(2) was adopted to include LLCs under the definition of "syndicate", and allowed the limited exception for "family farm" LLCs. The "family farm" LLC definition appears to follow the language supplied for the exception for "family farm" LPs contained in Neb. Const. art. XII, § 8. The Legislature enacted this statute for " . . . further restrictions prohibiting certain agricultural operations that the legislature deems contrary to the intent of this section." Neb. Const. art. XII, § 8.

LB 1437 also expands the definition of "syndicate" contained in Neb. Rev. Stat. § 21-2602(2). Section 4 includes exceptions for the "family farm" LLC as previously defined in the statute, and further excepts "non-family farm" LLCs formed in accord with the Family Farm and Ranch Transfer Act from the limitations upon "syndicates".

If Neb. Const. art. XII, § 8 does not mention LLCs as being syndicates or corporations in its language, and only allows statutory modifications of the Constitution to be statutes "prohibiting certain agricultural operations", can LB 1437's expanded definition of syndicate be consistent with the Constitution? In determining if the Constitution permits such a result, "[t]he language of a constitutional provision is to be interpreted with reference to established laws, usage, and customs of the country at the time of its adoption, but its terms and provisions are constantly expanded and enlarged by construction to meet the advancing affairs of humankind." ***Pig Pro Nonstock Co-op v. Moore***, 568 N.W.2d 217, 225, 253 Neb. 72, 84 (1997). With this end in mind, one must determine whether an LLC is an entity which was meant to be regulated by the modification clause of Neb. Const. art. XII, § 8, and further what type of statutes are regulations consistent with the modification clause in Neb. Const. art. XII, § 8 .

An LLC is not described in Neb. Const. art. XII, § 8 as a "corporation" or a "syndicate", therefore, it appears LLCs are not directly controlled by Neb. Const. art. XII, § 8. However, LLCs were not in existence at the time Neb. Const. art. XII, § 8 was enacted. It would appear logical that the modification clause of art. XII, § 8 would allow further regulation of the meaning of "syndicate" to include an LLC, if the statute followed the modification requirements of Neb. Const. art. XII, § 8. Many other Nebraska statutes relating to regulation of corporations and partnerships were amended once LLCs became available in Nebraska. Neb. Rev. Stat. §§ 21-1914(14), 33-101(3)(a), 43-3329(10), 44-5103(2), 48-2302(4) & (6) and 67-101 were all revised to include both LLCs and LLPs in their terms, adjacent to the terms for corporations, partnerships, limited partnerships and other entities. Extending the definition of a "syndicate" to include LLCs is consistent with other Nebraska statutes, and with the modification clause of Neb. Const. art. XII, § 8. "A court will construe statues relating to the same subject matter together so as to maintain a consistent and sensible scheme." ***FirsTier Bank, N.A. v. Department of Revenue***, 254 Neb. 918, 925, 580 N.W.2d 537, 541 (1998). Further, construction of the Constitutional term "syndicate" is allowed to encompass new entities, as "[e]very clause in the constitution has been inserted for a useful purpose and should receive even broader and more liberal construction than statutes". ***Hall v. Progress Pig, Inc.***, 575 N.W.2d 369, 375, 254 Neb. 150, 158 (1998). LLCs, although not expressly mentioned in Neb. Const. art. XII, § 8, can be statutorily regulated under the modification clause of Neb. Const. art. XII, § 8.

The next determination is whether a "non-family farm" LLC may be an exception to the limitations upon "syndicates" prescribed by Neb. Const. art. XII, § 8. LB 1437's transfer of property between unrelated junior and senior members of an LLC must be consistent with the intent of Neb. Const. art. XII, § 8. 1999 LB 1437 §§ 3 & 4. When a constitutional amendment is adopted by Nebraska voters, " . . . the intent of the voters in adopting an initiative amendment to the Nebraska Constitution must be determined from the words of the initiative itself." ***DeCamp v. State***, 594, N.W.2d at 573, 256 Neb. at 895. LB 1437 must coincide with the intent behind the limiting language on "syndicates" in Neb. Const. art. XII, § 8.

An LLC which allows members who are not related within the fourth degree of kindred to own agricultural land or engage in farming or ranching does not appear as an exception for either corporations or syndicates in Neb. Const. art. XII, § 8. Nor does such a situation exist in current statutes. LB 1437 would create an expansion of the definition of "syndicate" unlike any prior definitions because it allows unrelated members to own an LLC. While modification of Neb. Const. art. XII, § 8 by statute is allowed, the modifications are limited to " . . . *further restrictions prohibiting certain agricultural operations* that the legislature deems contrary to the intent of this section." Neb. Const. art. XII, § 8 (emphasis added). Allowing an agricultural LLC to be structured in a way that agricultural LPs or corporations could not be structured is not a "further restriction" upon LLCs. It would appear to be an expansion of the definition of "syndicate". Further, as described below, LB 1437's definition of "farming or ranching" is not consistent with Neb. Const. art. XII, § 8, causing the bill to be inconsistent with the Constitution in that respect. Lastly, courts have determined that part of the purpose of Neb. Const. art. XII, § 8 is to promote "family farms".

The court has stated:

> We determine that the language of article XII, § 8, read as a whole, reflects an intent to prohibit individuals who are not members of the same family or Nebraska Indian tribe from forming and utilizing a corporation to own and operate a farm or ranch land for their personal economic gain, other than for the specific uses set forth in § 8(1)(E) through (N).

Pig Pro Nonstock Co-op v. Moore, 568 N.W.2d at 225, 253 Neb. at 84.

Considering the above factors, it appears that LB 1437's creation of a "non-family farm" LLC by statute is inconsistent with the scheme created by Neb. Const. art. XII, § 8 and Neb. Rev. Stat. § 21-2602(2).

C. LIMITED LIABILITY PARTNERSHIPS

Limited liability partnerships (hereinafter "LLPs") recently became available in Nebraska, when the Uniform Partnership Act of 1998 began to replace the former Uniform Partnership Act by the 1997 enactment of LB 523. LLPs can be created by filing a "statement of qualification" with the Secretary of State. Neb. Rev. Stat. § 67-454(3). LLPs were originally created to shelter partners in professional firms, but their use has been extended to business enterprises.[6] They are formed and managed like a general partnership, except that state filing is necessary to obtain limited liability.[7] Unlike the limited partnership, an LLP allows general partners to obtain limited liability much like the limited partners in a limited partnership.[8]

The Nebraska Legislature began regulating LLPs as "syndicates" in the same year LLCs were considered "syndicates". Neb. Rev. Stat. §§ 21, 2602(2), 67-306(3) & 67-409(2). The limitations contained in the LLP sections were fundamentally similar to the limitations upon "family farm" LLCs and "family farm" LLPs. All entities were required to have ownership of the entity by family members, with at least one of these owners residing upon or actively performing day-to-day labor and management. ***Id.***

Much of the above discussion which applies to LLCs also applies to LLPs. LLPs had not been created in Nebraska when Neb. Const. art. XII, § 8 was enacted. LLPs are very similar to Limited Partnerships.[9] Neb. Const. art. XII, § 8 allows legislative regulation of newly created entities, so long as that legislation enacts " . . . further restrictions prohibiting certain agricultural operations that the legislature deems contrary to the intent of this section." Neb. Const. art. XII, § 8. LLPs may be properly regulated under the legislative description of "syndicate".

Like LLCs, LLPs allow transfer of agricultural property between a senior and junior partner in the form of a limited liability entity. These senior and junior partners need not be related. This result expands legislation beyond the limitations allowed by Neb. Const. art. XII, § 8. An expansion of LLP's "syndicate" definition under LB 1437 §§ 3, 8, 9, 10 & 11, does not place " . . . further restrictions prohibiting agricultural operations . . . " upon LLPs. The mentioned sections of LB 1437 are inconsistent with the intent of Neb. Const. art. XII, § 8. LB 1437's definition of a "syndicate" for LLPs is constitutionally suspect because it allows non-family members to form a limited liability entity for the ownership of farmland, or to engage in farming or ranching.

Besides the problems associated with non-family partners owning agricultural interests in an LLP, LB 1437 §§ 2 & 3 expand the definition of "farming or ranching" performed by "syndicates." In particular, LB 1437 §§ 2(2) & 2(4) describes operators and managers as persons who " . . . actively engage in farming or ranching . . . ". This description does not mention the current constitutional and statutory requirements for "syndicate" partners/members, which require that these persons " . . . actively engage in the day-to-day labor and management of the farm or ranch . . . " Neb. Const. art. XII, § 8(1), Neb. Rev. Stat. §§ 21, 2602(2), 67-306(3) & 67-409(2). These words have additional meaning beyond "actively" farming and ranching. "In determining the intent of a constitutional provision, a court may not supply any supposed omission, add words, or take words from the provision as framed." ***Hall v. Progress Pig, Inc.,*** 575 N.W.2d at 375, 376, 254 Neb. at 158. While Nebraska requires " . . . day-to-day labor and management of the farm or ranch . . . ", other states are not as specific in their requirements for a farm to qualify as a "family farm."[10] The Nebraska Supreme Court is scheduled to hear arguments on precisely the above terms this March.[11] LB 1437's omission of " . . . day-to-day labor and management . . . " in the definition of "actively" farming or ranching is an expansion of constitutional terms. Hence, LB 1437's definition is inconsistent with the modification clause of Neb. Const. art. XII, § 8 by failing to place " . . . further restrictions prohibiting agricultural operations . . . " in its provisions. Neb. Const. art. XII, § 8.

In sum, "non-family farm" LPs, LLCs and LLPs, as described under LB 1437, appear to expand the definition of a "syndicate" beyond that intended in Neb. Const. art. XII, § 8 and it's current statutory scheme. Additionally, LB 1437 allows these entities to conduct operations in which the members or partners need only be "actively" engaged in farming or ranching, rather than the stricter "day-to-day labor and management" of the farm or ranch required by Neb. Const. art. XII, § 8 and it's statutory scheme. For these reasons, LB 1437 is constitutionally suspect. "The Legislature cannot circumvent an express provision of the Constitution by doing indirectly what it may not do directly." ***Haman v. Marsh,*** 467 N.W.2d 836, 844, 237 Neb. 699, 708 (1991). A change to the Constitution must be accomplished through a Constitutional Amendment.

III. ALLOWABLE OPERATIONS UNDER LB 1437 AND NEB. CONST. ART. XII, § 8(1)

Your second question asks whether LB 1437 allows the formation of a limited liability entity which fits the requirements of both LB 1437 § 3 and Neb. Const. art. XII, § 8. This type of an operation must fit the requirements on LPs, LLCs and LLPs imposed by both Neb. Const. art. XII, § 8 and LB 1437.

There are numerous types of operations which may be created under Neb. Const. art. XII, § 8 and LB 1437. The limiting factors mentioned in the prior sections require that any entity which is created under LB 1437 also fit the requirements of Neb. Const. art. XII, § 8. In particular, this entity must have a the junior partner/member and the senior partner/member, or a spouse of this partner/member, who are: a) members of family related to one another within the fourth degree of kindred; and, b) reside upon, or actively engage in the day-to-day labor and management of the farm or ranch. Neb. Const. art. XII, § 8(1); Neb. Rev. Stat. §§ 21, 2602(2), 67-306(3) & 67-409(2). To avoid inconsistency with the Constitution, LB 1437 must follow the requirements of the Constitution. Unfortunately, the parts of the bill which allow transfer between non-family members must be omitted, which effectively eliminates a significant part of the bill.

It should be noted that Neb. Const. art. XII, § 8(1)(A) allows corporations to transfer ownership interests between non-family stockholders. The "family farm or ranch corporation" exception to the general prohibition against corporate agricultural interests states:

> Family farm or ranch corporation shall mean a corporation engaged in farming or ranching or the ownership of agricultural land, *in which the majority of the voting stock is held by members of a family* . . . related to one another within the fourth degree of kindred . . . .

Neb. Const. art. XII, § 8(1)(A)(Emphasis added).

A corporation would qualify as a "family farm or ranch corporation" if: a) it engaged in farming or ranching, or owned agricultural land; b) had stockholders who were related within the fourth degree of kindred holding 51% or more of the voting stock; and, c) had at least one of the majority interest stockholders residing upon the farm or ranch, or performing day-to-day labor and management upon the farm or ranch. An agreement wherein the senior stockholder was selling off his voting stock to a junior, and unrelated, minority stockholder, in exchange for the junior stockholders labors or investment upon the farm or ranch, would satisfy the "family farm or ranch corporation" requirements, so long as the junior and senior stockholders didn't each simultaneously hold 50% of the voting stock. The junior stockholder would ideally reach a majority interest in the farm or ranch at some point, making the senior stockholder the minority interest stockholder. This illustration provides a current method for non-family transfers under Neb. Const. art. XII, § 8(1). The requirement that "all partners" or "all members" in an LP, LLC or LLP have an ownership interest in the farm or ranch disqualifies these entities from such a transfer between non-related partners/members. Neb. Const. art. XII, § 8(1), Neb. Rev. Stat. §§ 21,2602(2), 67-306(3) & 67-409(2).

IV. CONCLUSION

LB 1437 is intended to promote inter-generational transfers of agricultural property between non-family members. LB 1437 allows partners in a limited partnership, partners in a limited liability partnership, or members of a limited liability company to own agricultural land or engage in farming or ranching, even if those partners/members are not related in the fourth degree of kindred. Further, LB 1437 allows these members/partners to qualify themselves under this bill as the manager/operator of the mentioned entities by actively engaging in farming or ranching. The intent of Neb. Const. art. XII, § 8(1) appears to require that partners in the above types of partnerships, or members of a limited liability company, be related as family, and that at least one member or partner of these entities actively engage in the day-to-day labor and management of the entity's farm or ranch. LB 1437 is constitutionally suspect because of these differences.

A limited liability entity which fulfills the mentioned family-ownership, labor and management requirements in order to comply with both LB 1437 and Neb. Const. art. XII, § 8(1) cannot utilize significant parts of LB 1437. If the described partnerships and limited liability company complied with Neb. Const. art. XII, § 8(1), then sections of LB 1437's requirements are not allowable. Currently, a family-farm or ranch corporation can transfer agricultural interest in its assets between unrelated stockholders under Neb. Const. art. XII, § 8(1). The goal of inter-generational transfer appears to be possible under current statutes.

[1] Kelley, Donald H. and Ludtke, David A., *Estate Planning for Farmers and Ranchers: A Guide to Family Businesses with Agricultural Holdings,* ¶ 5.06 (Shepard's/McGraw-Hill 1996, Supp. 1999).

[2] Neb. Rev. Stat. § 67-252; Kelley and Ludtke, *Estate Planning for Farmers and Ranchers: A Guide to Family Businesses with Agricultural Holdings,* ¶ 7.06.

[3] C. Bishop and D. Kleinberger, *Limited Liability Companies: Tax and Business Law,* ¶1.01(1) (1998).

[4] Cohen, David L., *Theories of the Corporation and the Limited Liability Company: How Should Courts and Legislatures Articulate Rules for Piercing the Veil, Fiduciary Responsibility and Securities Regulation for the Limited Liability Company?*, 1998 Oklahoma Law Review vol. 51, pg. 447.

[5] Kelley, Donald H. and Ludtke, David A., *Family Business Organizations,* ¶ 5:2 (Shepard's/McGraw-Hill 1996, Supp. 1999).

[6] Kelley and Ludtke, *Estate Planning for Farmers and Ranchers: A Guide to Family Businesses with Agricultural Holdings,* ¶ 5:3.

[7] Id. at ¶ 3:5.

[8] Id.

[9] Id. ¶ 3:5.

[10] Several states omit "day-to-day labor and management" as part of their requirements for members of a "family farm" entity: N.D. Cent. Code § 10-06.1-12(6) (1999); Mo. Rev. Stat. § 350.101(5) (1999); Minn. Stat. § 500.24(2)(c) (1999); Iowa Code Ann. § 9H.1(1) (West 1999); & Kan. Stat. Ann. § 17-5903(j)(3) (1999).

[11] In *Hall v. Progress Pig, Inc.,* Case No. S-98-1190, the parties briefs contain detailed arguments regarding "day-to-day labor and management" for their March, 7, 2000 arguments before the Nebraska Supreme Court.

Sincerely,
DON STENBERG
Attorney General
(Signed) William R. Barger
Assistant Attorney General

pc: Patrick J. O'Donnell
Clerk of the Legislature
14-134-11.op

GENERAL FILE

LEGISLATIVE BILL 1018. Title read. Considered.

Senator Bromm renewed his pending amendment, AM2348, found on page 605.

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CROSBY PRESIDING

Senators Brashear and Schmitt asked unanimous consent to be excused. No objections. So ordered.

Pending.

STANDING COMMITTEE REPORTS

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

State Emergency Response Commission
  Christine Bleich
  Kim Herald
  Steve Wood

VOTE: Aye: Senators Aguilar, Cudaback, Janssen Quandahl, Schimek, Schmitt, Smith, and Vrtiska. Nay: None. Absent: None.

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

State Emergency Response Commission
  Mark Reimers

VOTE: Aye: Senators Aguilar, Quandahl, Schimek, Schmitt, Smith, and Vrtiska. Nay: None. Absent: Senators Cudaback and Janssen.

(Signed) DiAnna R. Schimek, Chairperson

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Ethanol Board
  Lee Grove

VOTE: Aye: Senators Bruning, Hudkins, Jones, Kremer, Preister, and Schrock. Nay: None. Absent: Senators Bromm and Stuhr.

(Signed) Edward J. Schrock, Chairperson

AMENDMENTS - Print in Journal

Senator Schimek filed the following amendment to LB 1135:
AM2395

(Amendments to Standing Committee amendment, AM2284)

1. Strike sections 7, 10, 11, 12, and 22.

2. On page 32, line 20, strike "79-1312,"; and strike beginning with ", 71-155.01" in line 22 through "71-1,147.55," in

line 23.

3. Renumber the remaining sections accordingly.

Senator Raikes filed the following amendment to LB 715:
(Amendment, AM2404, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 1368. Placed on General File as amended.
Standing Committee amendment to LB 1368:
AM2399

1. Insert the following new section:

"Section 1. Section 13-518, Revised Statutes Supplement, 1999, is amended to read:

13-518. For purposes of sections 13-518 to 13-522:

(1) Allowable growth means (a) for governmental units other than community colleges, the percentage increase in taxable valuation in excess of the base limitation established under section 77-3446, if any, due to improvements to real property as a result of new construction, additions to existing buildings, any improvements to real property which increase the value of such property, and any increase in valuation due to annexation and any personal property valuation over the prior year and (b) for community colleges, the percentage increase in excess of the base limitation, if any, in full-time equivalent students from the second year to the first year preceding the year for which the budget is being determined;

(2) Capital improvements means (a) acquisition of real property or (b) acquisition, construction, or extension of any improvements on real property;

(3) Governing body has the same meaning as in section 13-503;

(4) Governmental unit means every political subdivision which has authority to levy a property tax or authority to request levy authority under section 77-3443 except sanitary and improvement districts which have ~~been in existence~~ levied a property tax other than the bond tax levy for five years or less and school districts;

(5) Qualified sinking fund means a fund or funds maintained separately from the general fund to pay for acquisition or replacement of tangible personal property with a useful life of five years or more which is to be undertaken in the future but is to be paid for in part or in total in advance using periodic payments into the fund. The term includes sinking funds under subdivision (13) of section 35-508 for firefighting and rescue equipment or apparatus;

(6) Restricted funds means (a) property tax, excluding

any amounts refunded to taxpayers, (b) payments in lieu of property taxes, (c) local option sales taxes, (d) motor vehicle taxes, (e) state aid, (f) transfers of surpluses from any user fee, permit fee, or regulatory fee if the fee surplus is transferred to fund a service or function not directly related to the fee and the costs of the activity funded from the fee, (g) any funds excluded from restricted funds for the prior year because they were budgeted for capital improvements but which were not spent and are not expected to be spent for capital improvements, and (h) any excess tax collections returned to the county under section 77-1776; and

(7) State aid means:

(a) For all governmental units, state aid paid pursuant to sections 60-305.15 and 77-3523;

(b) For municipalities, state aid to municipalities paid pursuant to sections 18-2605, 39-2501 to 39-2520, 60-3007, 77-27,136, and 77-27,139.04 and insurance premium tax paid to municipalities;

(c) For counties, state aid to counties paid pursuant to sections 39-2501 to 39-2520, 47-119.01, 60-3001 to 60-3007, 77-27,136, and 77-3618 and insurance premium tax paid to counties;

(d) For community colleges, state aid to community colleges paid under sections 85-1536 to 85-1537.01;

(e) For natural resources districts, state aid to natural resources districts paid pursuant to section 77-27,136; and

(f) For educational service units, state aid appropriated under section 79-1241.".

2. On page 5, line 27, strike "section" and insert "sections 13-518 and"; and in line 28 strike "is" and insert "are".

3. Renumber the remaining sections accordingly.

(Signed) William R. Wickersham, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 956. Placed on General File.
LEGISLATIVE BILL 1265. Placed on General File.
LEGISLATIVE BILL 1281. Placed on General File.

LEGISLATIVE RESOLUTION 294CA. Placed on General File.

LEGISLATIVE BILL 717. Placed on General File as amended.
Standing Committee amendment to LB 717:
AM2003

1. Strike the original sections and insert the following new sections:

"Section 1. Section 81-15,191, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,191. Sections 81-15,191 to 81-15,235 and sections 3 and 5 of this act shall be known and may be cited as the Nebraska

Emergency Planning and Community Right to Know Act.

Sec. 2. Section 81-15,193, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,193. For purposes of the Nebraska Emergency Planning and Community Right to Know Act, the definitions found in sections 81-15,194 to 81-15,209 and section 3 of this act apply.

Sec. 3. Hazardous material has the same meaning as in 49 C.F.R. 171.8.

Sec. 4. Section 81-15,214, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,214. (1) There is hereby created the Nebraska Emergency Planning and Community Right to Know Cash Fund. The fund may receive appropriations, gifts, bequests, grants, fees, or other contributions or donations from public or private entities. The fund shall be used to carry out the purposes of the Nebraska Emergency Planning and Community Right to Know Act, including:

(a) The funding of planning requirements as approved by the commission;

(b) The funding of specific projects as approved by the commission; and

~~(b)~~ (c) The payment of expenses incurred by the commission to administer the fund. Payment from the fund for costs of administering the fund shall not exceed fifteen percent of the total receipts of the fund during the fiscal year. The commission shall adopt and promulgate rules and regulations governing allocations from the fund and shall publish guidelines regarding allocations from the fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(2) Entities receiving allocations from the Nebraska Emergency Planning and Community Right to Know Cash Fund shall expend the allocation in a manner expressly approved by the commission. If allocations from the fund are used for purposes other than those approved by the commission, the commission may recover by appropriate legal means any funds spent inconsistent with the terms of the allocation. Any recovered funds shall be deposited in the fund.

Sec. 5. (1) The commission shall make allocations of the appropriations received from the General Fund pursuant to this section. The appropriations shall be allocated to local emergency planning committees which are actively working to carry out their powers and duties under the Nebraska Emergency Planning and Community Right to Know Act as follows:

(a) One-fourth shall annually be distributed equally to each qualifying local emergency planning committee; and

(b) Three-fourths shall annually be distributed to qualifying local emergency planning committees based on the number of facilities, highways, railroads, pipelines, and other structures reported in the emergency plan submitted by the committee in the previous year.

(2) If the commission has designated two or more counties to join together to form a local emergency planning district, any funds distributed to such committees under subdivision (1)(a) or (b) of this section shall be transferred to the committee for the local emergency planning district.

(3) The Nebraska Emergency Management Agency shall provide a detailed expenditure report to the commission and shall respond to all inquiries regarding expenditures.

(4) It is the intent of the Legislature to appropriate one hundred fifty thousand dollars from the General Fund for FY2000-01, FY2001-02, and FY2002-03 to the Nebraska Emergency Planning and Community Right to Know Cash Fund for the State Emergency Response Commission.

(5) This section terminates on July 1, 2003.

Sec. 6. Original sections 81-15,191, 81-15,193, and 81-15,214, Reissue Revised Statutes of Nebraska, are repealed.".

LEGISLATIVE BILL 1304. Placed on General File as amended.
Standing Committee amendment to LB 1304:
AM2388

1. On page 4, line 14, after "approval" insert "or denial".

(Signed) DiAnna R. Schimek, Chairperson

Natural Resources

LEGISLATIVE BILL 1327. Placed on General File.
LEGISLATIVE BILL 1331. Placed on General File.

(Signed) Edward J. Schrock, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 1146. Placed on General File as amended.
Standing Committee amendment to LB 1146:
AM2242

1. Strike original section 1 and insert the following new sections:

"Sec. 3. Section 60-6,232, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,232. A rotating or flashing amber light or lights shall be displayed on the roof of any motor vehicle being operated by any rural mail carrier outside the corporate limits of any municipality in this state on or near any highway in the process of delivering mail.

A rotating or flashing amber light or lights may be displayed on (1) any vehicle of the Military Department while on any state emergency mission, (2) any motor vehicle being operated by any public utility, vehicle service, or towing service or any publicly or privately owned construction or maintenance vehicle while performing its duties on or near any highway, (3) any motor vehicle being operated by any member of the Civil Air Patrol, (4) any pilot vehicle escorting an overdimensional load, or (5) any vehicle while actually engaged in the moving of houses, buildings, or other objects of extraordinary bulk, including unbaled livestock forage as authorized by subdivision ~~(2)(g)~~ (2)(f) of section 60-6,288.

Sec. 5. Section 60-6,289, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,289. (1) No vehicle unladen or with load shall exceed a height of fourteen feet, six inches, except:

(a) Combines or vehicles used in transporting combines, to be engaged in harvesting within or without the state, moving into or through the state during daylight hours when the overall height does not exceed fifteen feet, six inches;

(b) Livestock forage vehicles with or without load that comply with subsection (2) of section 60-6,305;

(c) Farm equipment or implements of husbandry being driven, picked up, or delivered during daylight hours by farm equipment dealers shall not exceed fifteen feet, six inches;

(d) A rubber-tired crane with a fixed load when the requirements of subdivision ~~(2)(j)~~ (2)(i) of section 60-6,288 are met; or

(e) Vehicles which have been issued a permit pursuant to section 60-6,299.

(2) No person shall be required to raise, alter, construct, or reconstruct any underpass, bridge, wire, or other structure to permit the passage of any vehicle having a height, unladen or with load, in excess of twelve feet, six inches. The owners, lessees, and operators, jointly and severally, of vehicles exceeding twelve feet, six inches, in height shall assume the risk of loss to the vehicle or its load and shall be liable for any damages that result to overhead obstructions from operation of a vehicle exceeding twelve feet, six inches, in height.

Sec. 7. Section 60-6,294, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,294. (1) Every vehicle, whether operated singly or in a combination of vehicles, and every combination of vehicles shall comply with subsections (2) and (3) of this section except as provided in sections 60-6,294.01 and 60-6,297. The limitations imposed by this section shall be supplemental to all other provisions imposing limitations upon the size and weight of vehicles.

(2) No wheel of a vehicle or trailer equipped with

pneumatic or solid rubber tires shall carry a gross load in excess of ten thousand pounds on any highway nor shall any axle carry a gross load in excess of twenty thousand pounds on any highway. An axle load shall be defined as the total load transmitted to the highway by all wheels the centers of which may be included between two parallel transverse vertical planes forty inches apart extending across the full width of the vehicle.

(3) No group of two or more consecutive axles shall carry a load in pounds in excess of the value given in the following table corresponding to the distance in feet between the extreme axles of the group, measured longitudinally to the nearest foot, except that the maximum load carried on any group of two or more axles shall not exceed eighty thousand pounds on the National System of Interstate and Defense Highways unless the Director-State Engineer pursuant to section 60-6,295 authorizes a greater weight.

Distance in feet between the extremes of any group of two or more consecutive axles	Maximum load in pounds carried on any group of two or more consecutive axles					
	Two Axles	Three Axles	Four Axles	Five Axles	Six Axles	Seven Axles
4	34,000					
5	34,000					
6	34,000					
7	34,000					
8	34,000	42,000				
9	39,000	42,500				
10	40,000	43,500				
11		44,000				
12		45,000	50,000			
13		45,500	50,500			
14		46,500	51,500			
15		47,000	52,000			
16		48,000	52,500	58,000		
17		48,500	53,500	58,500		
18		49,500	54,000	59,000		
19		50,000	54,500	60,000		
20		51,000	55,500	60,500		
21		51,500	56,000	61,000		
22		52,500	56,500	61,500		
23		53,000	57,500	62,500		
24		54,000	58,000	63,000		
25		54,500	58,500	63,500	69,000	
26		55,500	59,500	64,000	69,500	
27		56,000	60,000	65,000	70,000	
28		57,000	60,500	65,500	71,000	
29		57,500	61,500	66,000	71,500	
30		58,500	62,000	66,500	72,000	

31	59,000	62,500	67,500	72,500	
32	60,000	63,500	68,000	73,000	
33		64,000	68,500	74,000	
34		64,500	69,000	74,500	
35		65,500	70,000	75,000	
36		66,000	70,500	75,500	
37		66,500	71,000	76,000	81,500
38		67,500	72,000	77,000	82,000
39		68,000	72,500	77,500	82,500
40		68,500	73,000	78,000	83,500
41		69,500	73,500	78,500	84,000
42		70,000	74,000	79,000	84,500
43		70,500	75,000	80,000	85,000
44		71,500	75,500	80,500	85,500
45		72,000	76,000	81,000	86,000
46		72,500	76,500	81,500	87,000
47		73,500	77,500	82,000	87,500
48		74,000	78,000	83,000	88,000
49		74,500	78,500	83,500	88,500
50		75,500	79,000	84,000	89,000
51		76,000	80,000	84,500	89,500
52		76,500	80,500	85,000	90,500
53		77,500	81,000	86,000	91,000
54		78,000	81,500	86,500	91,500
55		78,500	82,500	87,000	92,000
56		79,500	83,000	87,500	92,500
57		80,000	83,500	88,000	93,000
58			84,000	89,000	94,000
59			85,000	89,500	94,500
60			85,500	90,000	95,000

(4) The distance between axles shall be measured to the nearest foot. When a fraction is exactly one-half foot, the next larger whole number shall be used, except that:

(a) Any group of three axles shall be restricted to a maximum load of thirty-four thousand pounds unless the distance between the extremes of the first and third axles is at least ninety-six inches in fact; and

(b) The maximum gross load on any group of two axles, the distance between the extremes of which is more than eight feet but less than eight feet six inches, shall be thirty-eight thousand pounds.

(5) The limitations of subsections (2) through (4) of this section shall apply as stated to all main, rural, and intercity highways but shall not be construed as inhibiting heavier axle loads in metropolitan areas, except on the National System of Interstate and Defense Highways, if such loads are not prohibited by city ordinance.

(6) The weight limitations of wheel and axle loads as defined in subsections (2) through (4) of this section shall be

restricted to the extent deemed necessary by the Department of Roads for a reasonable period when road subgrades or pavements are weak or are materially weakened by climatic conditions.

(7) Two consecutive sets of tandem axles may carry a gross load of thirty-four thousand pounds each when the overall distance between the first and last axles of such consecutive sets of tandem axles is thirty-six, thirty-seven, or thirty-eight feet except as provided in section 60-6,297. Such vehicles shall be subject to section 60-6,301.

(8) If any vehicle crosses a bridge with a total gross load in excess of the posted capacity of such bridge and as a result of such crossing any damage results to the bridge, the owner of such vehicle shall be responsible for all of such damage.

(9) Vehicles equipped with a greater number of axles than provided in the tables in subsection (3) of this section shall be legal if they do not exceed the maximum load upon any wheel or axle, the maximum load upon any group of two or more consecutive axles, and the total gross weight, or any of such weights as provided in subsections (2) and (3) of this section.

(10) Subsections (1) through (9) of this section shall not apply to a vehicle which has been issued a permit pursuant to section 60-6,299 or to a rubber-tired crane with a fixed load when the requirements of subdivision ~~(2)(j)~~ (2)(i) of section 60-6,288 are met.

(11) Any two consecutive axles the centers of which are more than forty inches and not more than ninety-six inches apart, measured to the nearest inch between any two adjacent axles in the series, shall be defined as tandem axles, and the gross weight transmitted to the road surface through such series shall not exceed thirty-four thousand pounds. No axle of the series shall exceed the maximum weight permitted under this section for a single axle.

(12) Dummy axles shall be disregarded in determining the lawful weight of a vehicle or vehicle combination for operation on the highway. Dummy axle shall mean an axle attached to a vehicle or vehicle combination in a manner so that it does not articulate or substantially equalize the load and does not carry at least the lesser of eight thousand pounds or eight percent of the gross weight of the vehicle or vehicle combination.".

2. On page 5, line 3, reinstate "and adapted exclusively"; and in lines 3 and 4 strike "and used primarily in".

3. On page 6, strike the new matter and reinstate the stricken matter.

4. On page 7, line 1, strike the new matter; and strike lines 19 through 28 and show the old matter as stricken.

5. On page 8, strike lines 1 through 5 and show as stricken; in line 6, strike "(g)", show as stricken, and insert "(f)"; in line 8 strike "(h)", show as stricken, and insert "(g)"; in line 12 strike "(i)", show as stricken, and insert "(h)"; and in

line 16 strike "(j)", show as stricken, and insert "(i)".

6. On page 9, line 10, strike "(k)", show as stricken, and insert "(j)".

7. On page 10, line 18, after the stricken "combine" insert "implements of husbandry", reinstate beginning with "to" through "harvesting", and strike the new matter; and in line 19, strike the new matter.

8. On page 12, line 4, strike "(2)(j)", show as stricken, and insert "(2)(i)".

9. On page 19, strike lines 14 through 21 and insert "(5) Any motor vehicle, semitrailer, or trailer carrying grain or other seasonally harvested products may operate from the field where such grain or products are harvested to storage, market, or stockpile in the field or from stockpile to market or factory up to seventy miles with a load that exceeds the maximum load permitted by section 60-6,294 by fifteen percent on any tandem axle, group of axles, and gross weight. The owner or a representative of the owner of the agricultural product shall furnish the driver of the loaded vehicle a signed statement of origin and destination.".

10. On page 20, line 4, strike "60-6,288," and insert "60-6,232, 60-6,288, 60-6,289,"; in line 5, after "60-6,290," insert "60-6,294,"; and strike beginning with "and" in line 6 through the comma in line 7.

11. Renumber the remaining sections accordingly.

(Signed) Curt Bromm, Chairperson

UNANIMOUS CONSENT - Add Cointroducers

Senator Bruning asked unanimous consent to have his name added as cointroducer to LB 628. No objections. So ordered.

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1018. No objections. So ordered.

Senator Stuhr asked unanimous consent to have her name added as cointroducer to LB 812. No objections. So ordered.

Senator Smith asked unanimous consent to have his name added as cointroducer to LB 994. No objections. So ordered.

Senator D. Pederson asked unanimous consent to have his name added as cointroducer to LB 1003. No objections. So ordered.

Senator Engel asked unanimous consent to have his name added as cointroducer to LB 950. No objections. So ordered.

VISITORS

Visitors to the Chamber were Janet Hibbs from Hastings; and members of Leadership Development from Phelps and Kearney Counties.

The Doctor of the Day was Dr. Les Veskrna from Lincoln.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Byars, the Legislature adjourned until 9:00 a.m., Tuesday, February 15, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

TWENTY-SEVENTH DAY - FEBRUARY 15, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 15, 2000

PRAYER

The prayer was offered by Pastor Ed Millican, Havelock United Methodist Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Brashear, Brown, Dierks, Kiel, Landis, Lynch, Matzke, Robak, Schimek, Schmitt, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-sixth day was approved.

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 1285. Placed on General File as amended.
(Standing Committee amendment, AM2358, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1240. Indefinitely postponed.

(Signed) Curt Bromm, Chairperson

NOTICE OF COMMITTEE HEARING
Nebraska Retirement Systems

LB 1104	Tuesday, February 22, 2000	12:00 p.m.

Tuesday, February 22, 2000 12:00 p.m.
Public Employees Retirement Board
Rick Black
Daniel Contonis
Nebraska Investment Council
Greg Stine

(Signed) Elaine R. Stuhr, Chairperson

ATTORNEY GENERAL'S OPINION

Opinion #00012

DATE: January 31, 2000

SUBJECT: LB 908-Unionization of Supreme Court Employees

REQUESTED BY: Senator John Hilgert
Nebraska State Legislature

WRITTEN BY: Don Stenberg, Attorney General
Thomas J. Olsen, Assistant Attorney General

You have made a request for an opinion from the Office of the Attorney General on whether employees of the Supreme Court, specifically probation officers, can be members of a union and, in so doing, be represented in collective bargaining negotiations. Your correspondence indicates that you have introduced LB 908, which transfers the Office of Probation Administration from the Supreme Court to the Department of Correctional Services. Your correspondence further provides that if you were to receive a positive response from our office in connection with the aforementioned opinion request, your reason for introducing LB 908 would be negated. Our response to your request is set forth below.

DISCUSSION

Article XV, § 13 of the Nebraska Constitution provides that:

> No person shall be denied employment because of membership in or affiliation with, or resignation or expulsion from a labor organization or because of refusal to join or affiliate with a labor organization; nor shall any individual or corporation or association of any kind enter into any contract, written or oral, to exclude persons from employment because of membership in or nonmembership in a labor organization.

This constitutional right is codified in Neb. Rev. Stat. § 48-217 (1998), which extends the protection to all employees, and Neb. Rev. Stat. §§ 48-801 to 48-838 (1998), referred to as the Industrial Relations Act, which specifically protects the right of public employees to join or refrain from joining a union.

Of particular relevance is Neb. Rev. Stat. § 48-837 (1998), which guarantees that:

> Public employees shall have the right to form, join, and participate in or to refrain from forming, joining, or participating in any employee organization of their own choosing. Public employees shall have the right to be represented by employee organizations to negotiate collectively with their public employers in the determination of their terms and conditions of employment and the administration of grievances arising thereunder.

This right of collective bargaining by state employees is further protected by the State Employees Collective Bargaining Act, Neb. Rev. Stat. §§ 81-1369 to 81-1390 (1999), which is deemed to be cumulative to the Industrial Relations Act. The State Employee Collective Bargaining Act provides that the State of Nebraska and its employees shall have all the rights and responsibilities afforded employers and employees pursuant to the Industrial Relations Act. ***Id.*** at § 81-1372.

The right to unionize is also protected by federal law pursuant to the National Labor Relations Act, 29 U.S.C. 141 to 187 (1998). Specifically, 29 U.S.C. 157 provides that employees shall have the right to join labor organizations, to bargain collectively through representatives of their own choosing, and to engage in other concerted activities for the purpose of collective bargaining, and shall equally have the right to refrain from such activities. ***Id.***

Based on the foregoing, there is no question that employees of the State of Nebraska, which would presumably include court employees, have a constitutional and statutory right to become members of a union and, in so doing, be represented in collective bargaining negotiations. ***Local Union No. 647 v. City of Grand Island***, 196 Neb. 693, 244 N.W.2d 515 (1976); ***Mid Plains Education Assoc. v. Mid Plains Nebraska Technical College, North Platte***, 189 Neb. 37, 199 N.W.2d 747 (1972).

Although there is no Nebraska case law addressing the specific issue of whether court employees can become members of a union, thereby subjecting the court's employment practices to the jurisdiction of an executive agency, several other states have held that inferior court employees can unionize and subject said courts to executive agency jurisdiction.

In ***Spokane County v. The State of Washington***, 136 Wash.2d 663, 966 P.2d 314 (1998), the Supreme Court of Washington held that the state's Public Employment Relations Commission ("PERC"), an executive branch agency, was empowered to resolve disputes concerning the interpretation of collective bargaining agreements between district court judges and the union for their court employees. ***Id.*** at 671, 966 P.2d at 318. The district court judges argued that the PERC's purported jurisdiction over members of the judiciary violated the doctrine of separation of powers. The court noted that the primary purpose behind the doctrine was to ensure that the fundamental functions of each branch of government remain inviolate. In rejecting the district court judges' argument, the court noted that the separation of powers doctrine allows for some interplay between the branches of government and each branch must work with the other to effectively function. The court found that the role of the PERC did not usurp any of the inherent functions of the judiciary, and that the judiciary maintained the inherent power of judicial review of all the PERC's decisions. The court concluded by stating that it is sometimes possible to have an overlap of responsibility in governing the administrative aspect of court related functions. ***Id.*** at 672, 966 P.2d at 319.

Likewise, in ***Teamsters Union Local 214 v. 60th District Court***, 417 Mich. 291, 335 N.W.2d 470 (1983), the Supreme Court of Michigan adopted and affirmed the opinion of the Court of Appeals, which held that the constitutional provision of separation of powers was not violated by the Michigan Employment Relation Commission's ("MERC") exercise of jurisdiction over the state's district courts and their employees. In rejecting the defendant's argument that the MERC did not possess jurisdiction to hear any claims with regard to the discharge of judicial personnel, the court held that the MERC's authority to adjudicate labor disputes between the district court and its employees did not encroach upon the constitutional inherent powers of the judiciary. ***Id.*** at 295, 335 N.W.2d at 471.

Similarly, the Supreme Court of Oregon has also held that the state's Employment Relations Board's jurisdiction over juvenile court judges and court counselors employed thereby, did not conflict with the separation of powers provision of the Oregon Constitution. ***Circuit Court of Oregon, 15th Judicial District v. AFSCME Local 502-A***, 295 Or. 542, 669 P.2d 314 (1983).

Based on the foregoing, there is ample authority to support the proposition that court employees can become members of a union, and thereby be represented in collective bargaining negotiations. However, the same cannot be said with respect to the issue of whether Supreme Court employees can become members of a union, where said employees' affiliation with a union subjects the Supreme Court to the jurisdiction of an executive agency. Although not decided in the State of Nebraska, the specific issue of whether Supreme Court employees can become members of a union has been decided in both Michigan and Illinois.

The case ***In re Michigan Employment Relations Commission***, 406 Mich. 647, 281 N.W.2d 299 (1979), specifically dealt with whether employees of the Michigan Supreme Court, and the Supreme Court itself, were subject to the collective bargaining dispute resolution agency, the Michigan Employee Relations Commission ("MERC"). Although the Court noted that subjecting inferior courts and their employees to the jurisdiction of MERC was permissible, the same was not true for the Supreme Court and its employees. The Court held that the Michigan constitution did not, as a matter of interpretation or logic, authorize MERC to take jurisdiction over the Michigan Supreme Court. In support thereof, the Court held that:

> If MERC has jurisdiction to determine cases with the Supreme Court as a party, then the Supreme Court might be in a position to appeal from the decision of MERC to the Court of Appeals, which again is an inferior tribunal to the Supreme Court. In short, MERC assuming jurisdiction over the Supreme Court puts everything upside down.

Id. at 651, 281 N.W.2d at 301. The Court further noted that if an administrative agency were to sit in judgment over the Supreme Court, the latter body would no longer be functioning as a Supreme Court, resulting in a serious erosion of the state's constitution and it's system of government. ***Id.***

Likewise, in ***Administrative Office of the Illinois Courts v. State and Municipal Teamsters***, 167 Ill. 2d 180, 657 N.E.2d 972 (1995), the Illinois Supreme Court, agreeing with the Michigan Supreme Court's ruling issued 16 years earlier, held that the Court and its employees were not subject to the state's Labor Relations Board. The court noted that imposing the Illinois Public Labor Relations Act ("PLRA") requirements on the Supreme Court would be inconsistent with the Court's constitutionally based administrative and supervisory authority over the judicial system of the state. In making the PLRA applicable to employees of the Supreme Court, the Labor Relations Board would exercise adjudicative responsibility over the Supreme Court. The court found that:

> The concerns expressed by the Supreme Court of Michigan are well founded. Requiring this court to appear in the administrative proceeding and submit to the agency's jurisdiction would place the State Board in the position of determining, on a continuing basis, employment matters affecting employees of this court. As we have stated, these intrusions on this court's constitutionally based judicial authority would violate the separation of powers doctrine. The problems we discern relate not to collective bargaining itself, but to the larger degree of control that would be exercised over this court by an agency of the executive branch.

Id. at 197, 657 N.E.2d at 983. Although we cannot speculate how the Nebraska Supreme Court would rule on the issue of whether its employees can unionize, and thereby subject the Court to the jurisdiction of an administrative agency, there is a reasonable probability that the Court would follow the decisions rendered by the Michigan and Illinois Supreme Courts.

The principle of separation of powers, similar to the provisions contain in the Michigan and Illinois Constitutions, is embodied in Article II, § 1 of the Nebraska Constitution. This constitutional provision provides that:

> The powers of the government of this state are divided into three distinct departments, the legislative, executive and judicial, and no person or collection of persons being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

The purpose of this constitutional provision is to establish the permanent framework of our system of government, to assign to the three departments their respective powers and duties, and to establish certain fixed principles upon which government is to be conducted. ***State ex rel. Stenberg v. Murphy***, 247 Neb. 358 , 364, 527 N.W.2d 185, 192 (1995). This provision prohibits one branch of government from encroaching on the duties and prerogatives of the others or from improperly delegating its own duties and prerogatives. ***Id.***; ***State ex rel. Spire v. Conway***, 238 Neb. 766, 472 N.W.2d 403 (1991).

In addition to the inherent authority to adjudicate controversies between adverse parties, the judiciary has also been given duties that pertain to the administration of the judicial branch of government. "Particular powers which have been held within the proper scope of the judiciary include among others the power to regulate the practice of law, to regulate matters of court procedures, to hear causes pending between adverse parties, and to apply the law to the facts of a particular case." 16 C.J.S. § 173. These duties are necessary for the court to conduct the administration of justice, such as formulating court procedures and regulating the admission of attorneys to practice law. ***See In Re Application of Majorek***, 244 Neb. 595, 508 N.W.2d 275 (1993). Administrative authority over the courts are further governed by Neb. Const. art. V, § 1, which provides that "[I]n accordance with rules established by the Supreme Court and not in conflict with other provisions of this Constitution and laws governing such matters, general administrative authority over all courts in this state shall be vested in the Supreme Court and shall be exercised by the Chief Justice."

Based on the principle of Supreme Court supremacy and the separation of powers doctrine, it is unlikely that the Nebraska Supreme Court would allow itself to be subjected to the jurisdiction of the Commission of Industrial Relations, even though the Commission has been found not to violate Neb. Const. art. II, § 1. ***See Orleans Education Association v. School District of Orleans***, 193 Neb. 675, 229 N.W.2d 172 (1975) (the Supreme Court held that the statutes authorizing the Commission of Industrial Relations to oversee labor disputes was not an unconstitutional delegation of judicial power.) The confusion created by having inferior courts ruling over the highest court in the land could provide the Nebraska Supreme Court with a sufficient basis, in and of itself, to reject unionization of Supreme Court employees. As noted by the Supreme Court of Illinois, Supreme Court supremacy is a fundamental facet to any functioning judicial system. ***Administrative Office of the Illinois Courts***, at 198, 657 N.E.2d at 983.

CONCLUSION

Although the right of state employees, including court employees, to participate in collective bargaining negotiations is unquestionable under state and federal law, Supreme Court supremacy and the separation of powers doctrine raise serious questions as to whether unionization of Supreme Court employees would be permissible. The only two cases on record adjudicating the rights of Supreme Court employees to unionize, thereby subjecting the Court to the jurisdiction of an administrative agency, held that these principles mandated the conclusion that said employees could not unionize.

Thus, we are unable to determine with a sufficient degree of certainty how the Nebraska Supreme Court would rule on the issue on whether Supreme Court employees can become members of a union, and in so doing, participate in collective bargaining negotiations. To avoid any uncertainty as to whether employees of the Supreme Court, specifically probation officers, can be members of a union, the prudent decision may well be to proceed with LB 908, which would transfer the Office of Probation Administration from the Supreme Court to the Department of Correctional Services.

Sincerely,
DON STENBERG
Attorney General
(Signed) Thomas J. Olsen
Assistant Attorney General

pc: Patrick J. O'Donnell
Clerk of the Legislature
10-42-11

GENERAL FILE

LEGISLATIVE BILL 1018. The Bromm pending amendment, AM2348, found on page 605 and considered on page 672, was renewed.

SENATOR CUDABACK PRESIDING

Senators Vrtiska and Bruning asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers requested a division of the question on the Bromm amendment.

The Chair sustained the division of the question.

The first Bromm amendment is as follows:
FA289
1. On page 12, line 17, after the period insert "A

franchise agreement with a Nebraska licensed dealer which conforms to and is subject to sections 60-1401.01 to 60-1440 and this section is not control for purposes of this section.".

Senator Jensen asked unanimous consent to be excused until he returns. No objections. So ordered.

The first Bromm amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 652. Placed on Select File as amended.
E & R amendment to LB 652:
AM7193

1. Because of the reissue of Volume 5A, Reissue Revised Statutes of Nebraska, in the Thompson amendment, AM2267, strike sections 13, 15, 16, and 18 and insert the following new sections:

"Sec. 13. Section 83-905.01, Reissue Revised Statutes of Nebraska, is amended to read:

~~83-905.01.~~ The Secure Youth Treatment ~~Confinement~~ Facility Fund is created. The fund shall be used ~~to finance construction of the Secure Youth Confinement Facility~~ for the administration of the secure youth treatment facility, except that transfers from the fund to the Department of ~~Correctional~~ Health and Human Services ~~Facility~~ Cash Fund may be made at the direction of the Legislature. The fund shall be administered by the ~~Director of Correctional Services~~ Office of Juvenile Services. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. All funds in the Secure Youth Confinement Facility Fund on the operative date of this section shall be transferred to the Secure Youth Treatment Facility Fund.

Sec. 15. Section 83-107.01, Reissue Revised Statutes of Nebraska, is amended to read:

83-107.01. The official names of the state institutions under the supervision of the Department of Health and Human Services shall be as follows: (1) Beatrice State Developmental Center, (2) Lincoln Regional Center, (3) Norfolk Regional Center, (4) Hastings Regional Center, (5) Grand Island Veterans' Home, (6) Norfolk Veterans' Home, (7) Thomas Fitzgerald Veterans' Home, (8) Western Nebraska Veterans' Home, (9) Youth Rehabilitation and Treatment Center-Kearney, ~~and~~ (10) Youth Rehabilitation and Treatment Center-Geneva, and (11) Nebraska Secure Youth Treatment Facility.

Sec. 16. Section 83-905, Reissue Revised Statutes of Nebraska, is amended to read:

83-905. The Department of Correctional Services shall have oversight and general control of all state adult correctional institutions. ~~and the secure youth facility. The Secure Youth Confinement Facility is a physically secure, coeducational facility designed to provide secure confinement, education, and treatment only for serious and chronic juvenile offenders who have been committed to the Department of Correctional Services for secure care.~~

Sec. 18. Original sections 43-251.01, 43-258, 43-284, 43-286, 43-290, 43-401, 43-403, 43-404, 43-405, 43-407, 43-408, 43-416, 83-107.01, 83-905, and 83-905.01, Reissue Revised Statutes of Nebraska, are repealed.".

2. In the Thompson amendment, AM2267, on page 19, line 17, after "and" insert "it".

3. On page 1, strike beginning with "section" in line 1 through line 5 and insert "sections 43-251.01, 43-258, 43-284, 43-286, 43-290, 43-401, 43-403, 43-404, 43-405, 43-407, 43-408, 43-416, 83-107.01, 83-905, and 83-905.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the placement and confinement of juveniles; to transfer and rename the secure youth confinement facility; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.".

LEGISLATIVE BILL 652A. Placed on Select File as amended.
E & R amendment to LB 652A:
AM7194

1. On page 1, line 3; and page 2, line 7, strike "First Session, 1999" and insert "Second Session, 2000".

LEGISLATIVE BILL 922. Placed on Select File as amended.
E & R amendment to LB 922:
AM7195

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section. 1. Section 24-301.02, Revised Statutes Supplement, 1998, is amended to read:

24-301.02. The State of Nebraska shall be divided into the following twelve district court judicial districts:

District No. 1 shall contain the counties of Saline, Jefferson, Gage, Thayer, Johnson, Pawnee, Nemaha, Fillmore, and Richardson;

District No. 2 shall contain the counties of Sarpy, Cass, and Otoe;

District No. 3 shall contain the county of Lancaster;

District No. 4 shall contain the county of Douglas;

District No. 5 shall contain the counties of Merrick, Platte, Colfax, Boone, Nance, Hamilton, Polk, York, Butler, Seward, and Saunders;

District No. 6 shall contain the counties of Dixon, Dakota, Cedar, Burt, Thurston, Dodge, and Washington;

District No. 7 shall contain the counties of Knox, Cuming, Antelope, Pierce, Wayne, Madison, and Stanton;

District No. 8 shall contain the counties of Cherry, Keya Paha, Brown, Rock, Blaine, Loup, Custer, Boyd, Holt, Garfield, Wheeler, Valley, Greeley, Sherman, and Howard;

District No. 9 shall contain the counties of Buffalo and Hall;

District No. 10 shall contain the counties of Adams, Clay, Phelps, Kearney, Harlan, Franklin, Webster, and Nuckolls;

District No. 11 shall contain the counties of Hooker, Thomas, Arthur, McPherson, Logan, Keith, Perkins, Lincoln, Dawson, Chase, Hayes, Frontier, Gosper, Dundy, Hitchcock, Red Willow, and Furnas; and

District No. 12 shall contain the counties of Sioux, Dawes, Box Butte, Sheridan, Scotts Bluff, Morrill, Garden, Banner, Kimball, Cheyenne, Grant, and Deuel.

~~Before July 1, 2000, in the fourth district there shall be fifteen judges of the district court, and on and after July 1, 2000, in~~ In the fourth district there shall be sixteen judges of the district court. In the third district there shall be seven judges of the district court. In the twelfth district there shall be five judges of the district court. In the second, ~~and~~ fifth, and eleventh districts there shall be four judges of the district court. In the first, sixth, and ninth~~, and eleventh~~ districts there shall be three judges of the district court. In the seventh, eighth, and tenth districts there shall be two judges of the district court.

Sec. 2. Section 43-2,119, Reissue Revised Statutes of Nebraska, is amended to read:

43-2,119. (1) The number of judges of the separate juvenile court in counties which have established a separate juvenile court shall be:

(a) Two judges in counties having seventy-five thousand inhabitants but less than two hundred thousand inhabitants;

(b) ~~Before July 1, 1999, two~~ Three judges in counties having at least two hundred thousand inhabitants but less than four hundred thousand inhabitants; ~~, and on and after July 1, 1999, three judges in such counties;~~ and

(c) ~~Four~~ Five judges in counties having four hundred thousand inhabitants or more.

(2) In counties having two or more judges of the separate juvenile court, upon the swearing in of the second judge, the senior judge in point of service as a juvenile court judge shall be the presiding judge. The judges shall rotate the office of presiding judge every three years unless the judges agree to

another system.

Sec. 3. This act becomes operative on July 1, 2000.

Sec. 4. Original section 43-2,119, Reissue Revised Statutes of Nebraska, and section 24-301.02, Revised Statutes Supplement, 1998, are repealed.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 1, strike beginning with "section" in line 1 through line 4 and insert "section 43-2,119, Reissue Revised Statutes of Nebraska, and section 24-301.02, Revised Statutes Supplement, 1998; to provide additional district court and juvenile court judgeships; to provide an operative date; to repeal the original sections; and to declare an emergency.".

LEGISLATIVE BILL 1004. Placed on Select File as amended.
(E & R amendment, AM7197, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Correctly Engrossed

The following bills were correctly engrossed: LBs 204, 419, 438, 504, 510, 626, 654, 654A, and 701.

Enrollment and Review Change to LB 438

The following changes, required to be reported for publication in the Journal, have been made:
ER9115

1. On page 1, the matter beginning with "sections" in line 2 through line 7 and all amendments thereto have been struck and "sections 49-1447, 49-1453, 49-1463.01, 49-1466, and 49-14,123, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1458, Revised Statutes Supplement, 1999; to change provisions relating to committee treasurers, dissolution of committees, and late contributions; to require reports of late independent expenditures; to provide for a late filing fee and for the accrual of interest on late filing fees and civil penalties; to provide bonding requirements; to define and redefine terms; to harmonize provisions; and to repeal the original sections." inserted.

Enrollment and Review Change to LB 626

The following changes, required to be reported for publication in the Journal, have been made:
ER9114

1. In the Brashear amendment, AM2273, on page 1, line 13, "the" has been inserted after "with" and "or services" has been inserted after "goods".

2. On page 1, line 1, "trademarks" has been struck and "property rights; to amend section 25-2130, Reissue Revised Statutes of Nebraska" inserted; in line 2 "to change provisions relating to damages for willful trespass;" has been inserted after the semicolon; and in line 3 "to repeal the original section;" has been inserted after the semicolon.

3. On page 6, line 21, the second comma has been struck; and in line 23 after "thereto" an underscored comma has been inserted.

4. On page 11, line 8, "or" has been struck and "of" inserted.

5. On page 12, line 13, "or" has been inserted after the semicolon.

6. On page 16, line 11, "do" has been struck and "does" inserted.

Enrollment and Review Change to LB 654

The following changes, required to be reported for publication in the Journal, have been made:

ER9116

1. In the E & R amendments, AM7184:

a. On page 26, line 8, "is" has been struck and "shall be" inserted;

b. On page 45, line 23, an underscored comma has been inserted after "quantity"; and

c. On page 50, line 12, "58" has been struck and "57" inserted.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 1144. Placed on General File.

LEGISLATIVE BILL 708. Placed on General File as amended.
Standing Committee amendment to LB 708:
AM2301

1. Strike the original sections and insert the following new sections:

"Section 1. Section 29-1823, Revised Statutes Supplement, 1998, is amended to read:

29-1823. (1) If at any time prior to trial it appears that the accused has become mentally incompetent to stand trial, such disability may be called to the attention of the district court by the county attorney, by the accused, or by any person for the accused. The judge of the district court of the county where the accused is to be tried shall have the authority to determine whether or not the accused is competent to stand trial. The district judge may also cause such medical, psychiatric, or psychological examination of the accused to be made as he or she deems warranted and hold such hearing as he or she deems necessary. The cost of the examination, when ordered by the court, shall be the expense of the county in which the crime is charged. The district judge may allow any physician, psychiatrist, or psychologist a reasonable fee for his or her services, which amount, when determined by the district judge, shall be certified to the county board which shall cause payment to be made. Should the district judge determine after a hearing that the accused is mentally incompetent to stand trial and that there is a substantial probability that the accused will become competent within the foreseeable future, the district judge shall order the accused to be committed to a state hospital for the mentally ill or some other appropriate state-owned or state-operated facility for appropriate treatment until such time as the disability may be removed. When an order of commitment has been entered under this subsection, the clerk of the district court shall immediately notify the Department of Health and Human Services of the entry of such order. The department shall take custody of the accused within forty-eight hours after receiving such notice.

(2) Within six months after the commencement of the treatment ordered by the district court, and every six months thereafter until either the disability is removed or other disposition of the accused has been made, the court shall hold a hearing to determine (a) whether the accused is competent to stand trial or (b) whether or not there is a substantial probability that the accused will become competent within the foreseeable future.

(3) If it is determined that there is not a substantial probability that the accused will become competent within the foreseeable future, ~~then~~ the state shall either (a) commence the applicable civil commitment proceeding that would be required to commit any other person for an indefinite period of time or (b) release the accused. If during the period of time between the six-month review hearings set forth in subsection (2) of this section it is the opinion of the Department of Health and Human Services that the accused is competent to stand trial, the department shall file a report outlining its opinion with the court, and within twenty-one days after such report being filed, the court shall hold a hearing to determine whether or not the accused is competent to stand trial. The state shall pay the cost of maintenance and care of the accused during the period of time ordered by the court for treatment to remove the disability.

Sec. 2. Section 83-338, Reissue Revised Statutes of Nebraska, is amended to read:

83-338. If at any time it shall become necessary, for want of room or other cause, to discriminate in the general reception of patients into the state hospitals for the mentally ill, the selection shall be made as follows: (1) Patients whose care in the state hospital is necessary in order to protect the public health and safety; (2) patients who are most likely to be benefited by treatment in the state hospitals, regardless of whether such patients are committed by a county board of mental health or whether such patients seek voluntary admission to one of the state hospitals; (3) patients shall next be admitted to the state hospitals in the order in which they are committed by the county boards of mental health or by the several district courts; and (4) when cases are equally meritorious, in all other respects, the indigent shall have preference. This section does not affect the duties of the Department of Health and Human Services as provided in sections 29-1823 and 83-1037.

Sec. 3. Section 83-1037, Reissue Revised Statutes of Nebraska, is amended to read:

83-1037. If either the subject of the petition admits or the mental health board concludes from the evidence at the hearing that there is clear and convincing proof that the subject is a mentally ill dangerous person and that neither voluntary hospitalization nor other treatment alternatives less restrictive of the subject's liberty than a mental-health-board-ordered treatment disposition are available or would suffice to prevent the harm described in section 83-1009, the board shall so find and shall within forty-eight hours enter an order of final disposition providing for the treatment of the subject of the petition. The order of final disposition shall indicate whether the subject is a mentally ill dangerous person pursuant to either subdivision (1) or (2) of section 83-1009 or both. When a final order of disposition by the mental health board commits the subject into the custody of the Department of Health and Human Services, the clerk of the district court shall immediately notify the department of the entry of such order. The department shall take custody of the subject within forty-eight hours after receiving such notice.

Sec. 4. Original sections 83-338 and 83-1037, Reissue Revised Statutes of Nebraska, and section 29-1823, Revised Statutes Supplement, 1998, are repealed.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

LEGISLATIVE BILL 1023. Placed on General File as amended.
Standing Committee amendment to LB 1023:
AM2244

1. Strike section 4 and insert the following sections:

"Section 1. Section 71-112, Revised Statutes Supplement, 1999, is amended to read:

71-112. The professional boards provided in section 71-111 shall be designated as follows:

(1) For medicine and surgery and osteopathic medicine and surgery, Board of Medicine and Surgery;

(2) For athletic training, Board of Athletic Training;

(3) For respiratory care, Board of Respiratory Care Practice;

(4) For chiropractic, Board of Chiropractic;

(5) For dentistry and dental hygiene, Board of Dentistry;

(6) For optometry, Board of Optometry;

(7) For massage therapy, Board of Massage Therapy;

(8) For physical therapy, Board of Physical Therapy;

(9) For pharmacy, Board of Pharmacy;

(10) For audiology and speech-language pathology, Board of Audiology and Speech-Language Pathology;

(11) For medical nutrition therapy, Board of Medical Nutrition Therapy;

(12) For funeral directing and embalming, Board of Funeral Directing and Embalming;

(13) For podiatry, Board of Podiatry;

(14) For psychology, Board of Psychologists;

(15) For veterinary medicine and surgery, Board of Veterinary Medicine and Surgery; and

(16) For mental health practice, Board of Mental Health Practice.

Any change made by the Legislature of the names of boards listed in this section shall not change the membership of such boards or affect the validity of any action taken by or the status of any action pending before any of such boards. Any such board newly named by the Legislature shall be the direct and only successor to the board as previously named.

Sec. 2. Section 71-1,152.01, Revised Statutes Supplement, 1999, is amended to read:

71-1,152.01. The purpose of the Board of Veterinary Medicine and Surgery is to: (1) Provide for the health, safety, and welfare of the citizens; (2) insure that veterinarians serving the public meet minimum standards of proficiency and competency; (3) insure that schools of veterinary medicine and surgery meet the educational needs of the students and qualify students to serve the public in a safe and efficient manner; and (4) control the field of veterinary medicine and surgery in the interest of consumer protection.

Sec. 3. Section 71-1,153, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,153. Sections 71-1,152.01 to ~~71-1,185~~ 71-1,163 and sections 5 and 6 of this act shall be known and may be cited as the Nebraska Veterinary Practice Act.

Sec. 4. Section 71-1,154, Revised Statutes Supplement, 1999, is amended to read:

71-1,154. When used in the Nebraska Veterinary Practice Act and elsewhere in the Uniform Licensing Law, unless the context otherwise requires:

(1) Animal ~~shall mean~~ means any animal other than man and ~~shall include~~ includes birds, fish, and reptiles, wild or domestic, living or dead, except domestic poultry;

(2) Veterinary medicine and surgery ~~shall include~~ includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine;

(3) Practice of veterinary medicine and surgery ~~shall mean~~ means:

(a) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions, including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique, and the use of any manual or mechanical procedure for testing for pregnancy, or for correcting sterility, or infertility, or to render advice or recommendation with regard to any of the above;

(b) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in subdivision (a) of this subdivision; and

(c) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in subdivision (a) of this subdivision;

(4) Veterinarian ~~shall mean~~ means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or its equivalent;

(5) Licensed veterinarian ~~shall mean~~ means a person who is validly and currently licensed to practice veterinary medicine and surgery in this state;

(6) Accredited school of veterinary medicine within the meaning of the Nebraska Veterinary Practice Act ~~shall mean~~ means:

(a) One approved by the department upon the recommendation of the board;

(b) A veterinary college or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent; and

(c) One that conforms to the standards required for accreditation by the American Veterinary Medical Association;

(7) Person ~~shall mean~~ means any individual, firm, partnership, limited liability company, association, joint venture, cooperative and corporation, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of such person;

(8) Board ~~shall mean~~ means the Board of Veterinary Medicine and Surgery; ~~and~~

(9) Department ~~shall mean~~ means the Department of Health and Human Services Regulation and Licensure;

(10) Veterinary technician means an individual who has met one of the requirements of subsection (1) of section 5 of this act;

(11) Licensed veterinary technician means a veterinary

technician who is validly and currently licensed as a veterinary technician in this state. Only a licensed veterinary technician may advertise or offer his or her services in a manner calculated to lead others to believe that he or she is a veterinary technician;

(12) Unlicensed assistant means an individual who is not a veterinarian or a veterinary technician who is working in veterinary medicine;

(13) Supervisor means a licensed veterinarian or licensed veterinary technician as required by statute or rule or regulation for the particular delegated task being performed by a veterinary technician or unlicensed assistant;

(14) Immediate supervision means that the supervisor is on the premises and is in direct eyesight and hearing range of the animal and the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task;

(15) Direct supervision means that the supervisor is on the premises and is available to the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task; and

(16) Indirect supervision means that the supervisor is not on the premises but is easily accessible and has given written or oral instructions for treatment of the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task.

Sec. 5. (1) To be a veterinary technician in this state, an individual shall meet one of the following requirements:

(a) Be a graduate of an American Veterinary Medical Association approved veterinary technician program and receive a passing score on the national exam for such program as determined by the board;

(b) On the effective date of this act, be an approved animal technician certified under sections 71-1,168 to 71-1,185 as such sections existed prior to such date; or

(c) Have at least five years or more full-time experience working with a veterinarian, be employed by a veterinarian on the effective date of this act, and within three years after such date receive a passing score on the national exam described in subdivision (1)(a) of this section as determined by the board.

(2) To keep the license active, a licensed veterinary technician shall earn credit for twenty-four hours of continuing education every three years as approved by the board.

Sec. 6. The department shall adopt and promulgate rules and regulations providing for (1) licensure of veterinary technicians meeting the requirements of section 5 of this act and (2) standards for the level of supervision required for particular delegated animal health care tasks and which determine which tasks may be performed by a veterinary technician and by unlicensed assistants. The level of supervision may be immediate, direct, or indirect as determined by the department based upon the complexity and requirements of the task.

Sec. 10. Original sections 71-1,153, 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999, are repealed.

Sec. 11. The following sections are outright repealed: Sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.".

2. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 1141. Placed on General File as amended.
Standing Committee amendment to LB 1141:
AM2281

1. On page 5, line 6, strike the new matter and reinstate the stricken matter; and in line 7 reinstate the stricken "the school" and after the reinstated "school" insert an underscored semicolon.

LEGISLATIVE BILL 963. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1018. The second Bromm amendment is as follows:
FA290

2. On page 15, line 23, strike "requires or allows" and insert "which does not take place in the State of Nebraska provides for".

3. On page 17, line 5, strike "a" and insert "an existing".

Senators Crosby and Jones asked unanimous consent to be excused until they return. No objections. So ordered.

The second Bromm amendment was adopted with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

Senator Quandahl asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bromm offered the following amendment:
AM2426

1. On page 15, line 25, strike "responsible" and insert "jointly and severally liable"; and strike beginning with "shall" in line 26 through the period in line 28 and insert "contracts with the seller.".

2. On page 16, line 3, strike "responsible" and insert "liable"; and in line 4 strike "cannot" and insert "is not authorized to".

Senator Thompson asked unanimous consent to be excused until she returns. No objections. So ordered.

The Bromm amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Senator Chambers offered the following amendment:
FA291
Amend AM2426

P. 16, line 4, after "all" insert "applicable"; and after "contracts" insert "with the seller".

Senators Janssen, Hilgert, Brashear, and Hartnett asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers amendment was adopted with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 155. Placed on Select File as amended.
(E & R amendment, AM7199, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1125. Placed on Select File as amended.
E & R amendment to LB 1125:
AM7198

1. On page 3, line 17, strike the comma.

LEGISLATIVE BILL 950. Placed on Select File as amended.
E & R amendment to LB 950:
AM7200

1. Strike the original sections and all amendments thereto and insert the following new sections:
"Section 1. Sections 1 to 11 of this act shall be known

and may be cited as the Infant Hearing Act.

Sec. 2. (1) The Legislature finds that:

(a) Hearing loss occurs in newborns more frequently than any other health condition for which newborn screening is required;

(b) Early detection of hearing loss in a child and early intervention and treatment before six months of age has been demonstrated to be highly effective in facilitating a child's language, communication, and educational development;

(c) Children of all ages can receive reliable and valid screening for hearing loss in a cost-effective manner; and

(d) Appropriate screening and identification of newborns and infants with hearing loss will facilitate early intervention and treatment in the critical time period for language development and may serve the public purposes of promoting the healthy development of children and reducing public expenditure for health care, special education, and related services.

(2) The purpose of the Infant Hearing Act is:

(a) To provide early detection of hearing loss in newborns at the birthing facility, or as soon after birth as possible for those children born outside of a birthing facility, to enable these children and their families and other caregivers to obtain needed multidisciplinary evaluation, treatment, and intervention services at the earliest opportunity and to prevent or mitigate the developmental delays and academic failures associated with late detection of hearing loss; and

(b) To provide the state with the information necessary to effectively plan, establish, and evaluate a comprehensive system for the identification of newborns and infants who have a hearing loss.

Sec. 3. For purposes of the Infant Hearing Act:

(1) Birth admission means the time after birth that the newborn remains in the hospital or other health care facility prior to discharge;

(2) Birthing facility means a hospital or other health care facility in this state which provides birthing and newborn care services;

(3) Confirmatory testing facility means a hospital or other health care facility in this state which provides followup hearing tests;

(4) Infant means a child from thirty days through twelve months old;

(5) Newborn means a child from birth through twenty-nine days old; and

(6) Parent means a natural parent, stepparent, adoptive parent, legal guardian, or other legal custodian of a child.

Sec. 4. The Legislature recognizes that it is necessary to track newborns and infants identified with a potential hearing loss or who have been evaluated and have been found to have a hearing loss for a period of time in order to render appropriate followup care. The Department of Health and Human Services shall, on or before December 1, 2000, determine and implement the most appropriate system for this state which is available to track newborns and infants identified with a hearing loss. It is the intent of the Legislature that the tracking system provide the department and Legislature with the information necessary to effectively plan and establish a comprehensive system of developmentally appropriate services for newborns and infants who have a potential hearing loss or who have been found to have a hearing loss and shall reduce the likelihood of associated disabling conditions for such newborns and infants.

Sec. 5. The Department of Health and Human Services shall apply for all available federal funding to implement the Infant Hearing Act.

Sec. 6. (1) Beginning December 1, 2000, and annually thereafter, every birthing facility shall report to the Department of Health and Human Services the number of:

(a) Newborns born;

(b) Newborns and infants recommended for a hearing screening test;

(c) Newborns who received a hearing screening test during birth admission;

(d) Newborns who passed a hearing screening test during birth admission if administered;

(e) Newborns who did not pass a hearing screening test during birth admission if administered; and

(f) Newborns recommended for monitoring, intervention, and followup care.

(2) Beginning December 1, 2000, and annually thereafter, every confirmatory testing facility shall report to the Department of Health and Human Services the number of:

(a) Newborns and infants who return for a followup hearing test;

(b) Newborns and infants who do not have a hearing loss based upon the followup hearing test; and

(c) Newborns and infants who are shown to have a hearing loss based upon the followup hearing test.

Sec. 7. (1) Beginning January 1, 2001, every birthing facility shall educate the parents of newborns born in such facilities of the importance of receiving a hearing screening test and any necessary followup care. This educational information shall explain, in lay terms, the hearing screening test, the likelihood of the newborn having a hearing loss, followup procedures, and community resources, including referral for early intervention services under the Early Intervention Act. The educational information shall also include a description of the normal auditory, speech, and language developmental process in children. Education shall not be considered a substitute for the hearing screening test.

(2) If a newborn is not born in a birthing facility, the Department of Health and Human Services shall educate the parents of such newborns of the importance of receiving a hearing screening test and any necessary followup care. The department shall also give parents information to assist them in having the test performed within three months after the date of the child's birth.

Sec. 8. (1) The Department of Health and Human Services shall determine which birthing facilities are administering hearing screening tests to newborns and infants on a voluntary basis and the number of newborns and infants screened. The department shall report to the Legislature by January 1, 2002, and annually thereafter, the number of:

(a) Birthing facilities administering voluntary hearing screening tests during birth admission;

(b) Newborns screened as compared to the total number of newborns born in such facilities;

(c) Newborns who passed a hearing screening test during birth admission if administered;

(d) Newborns who did not pass a hearing screening test during birth admission if administered; and

(e) Newborns recommended for followup care.

(2) The department, in consultation with the State Department of Education, birthing facilities, and other providers, shall develop approved screening methods and protocol for statewide hearing screening tests of substantially all newborns and infants by December 1, 2002.

(3) Subject to available appropriations, the Department of Health and Human Services shall make the report described in this section available.

Sec. 9. (1) By December 1, 2003, each birthing facility shall include a hearing screening test as part of its standard of care for newborns and shall establish a mechanism for compliance review. By December 1, 2003, a hearing screening test shall be conducted on no fewer than ninety-five percent of the newborns born in this state.

(2) If the number of newborns receiving a hearing screening test does not equal or exceed ninety-five percent of the total number of newborns born in this state on or before December 1, 2003, or falls below ninety-five percent at any time thereafter, the Department of Health and Human Services shall immediately adopt and promulgate rules and regulations implementing a hearing screening program. The hearing screening program shall provide for a hearing screening test that every newborn born in this state shall undergo and shall provide that the hearing screening test be completed during birth admission or, if that is not possible, no later than three months after birth. Notwithstanding this section, it is the goal of this state to achieve a one-hundred-percent screening rate.

Sec. 10. The Department of Health and Human Services and the State Department of Education shall establish guidelines for when a referral shall be made for early intervention services under the Early Intervention Act. The guidelines shall include a request for an individual evaluation of a child suspected of being deaf or hard of hearing as defined in section 79-1118.01.

Sec. 11. The Department of Health and Human Services shall adopt and promulgate rules and regulations necessary to implement the Infant Hearing Act.

Sec. 12. (1) The Department of Health and Human Services shall provide payment for hearing screening tests for newborns and infants through the medical assistance program if the child is eligible for medical assistance as determined by state and federal law.

(2) Any contract for the provision of medical assistance negotiated with a managed care organization shall include payment for hearing screening tests for newborns and infants.

Sec. 13. (1) Notwithstanding section 44-3,131:

(a) Under a health insurance plan which provides coverage for hearing screening tests for newborns and infants, such coverage shall be subject to copayment, coinsurance, deductible, and dollar-limit provisions to the extent that other medical services covered by the health insurance plan are subject to such provisions; and

(b) This section applies to health insurance plans delivered, issued for delivery, or which become effective on or after the effective date of this act, and also applies to all renewals or changes which are effective on or after the effective date of this act.

(2) For purposes of this section, health insurance plan means a plan which includes dependent coverage for children which is delivered, issued for delivery, renewed, extended, or modified in this state. A health insurance plan includes any such group or individual sickness and accident insurance policy, health maintenance organization contract, subscriber contract, employee medical, surgical, or hospital care benefit plan, or self-funded employee benefit plan to the extent not preempted by federal law. Health insurance plan includes any policy, contract, or plan offered or administered by the state or its political subdivisions. Health insurance plan does not include policies providing coverage for a specified disease, accident-only coverage, hospital indemnity coverage, disability income coverage, medicare supplement coverage, long-term care coverage, or other limited-benefit coverage.

(3) The Department of Insurance shall adopt and promulgate rules and regulations necessary to implement this section.

Sec. 14. Since an emergency exists, this act takes effect when passed and approved according to law.".

LEGISLATIVE BILL 950A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 951A. Introduced by Byars, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 951, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORT
Business and Labor

LEGISLATIVE BILL 1363. Placed on General File.

(Signed) Floyd P. Vrtiska, Chairperson

VISITORS

Visitors to the Chamber were 28 high school students and teacher from Clarkson Public School; 19 members of Merrick County Leadership Tomorrow from Aurora; 70 seniors and teachers from Millard West High School, Omaha; Alice Wineman, Starr Lehl, Steve Whitaker, and John Fertig from Gering; Laurie Hilgenkamp from Arlington High School, Ashli Eickman from Wilber-Clatonia High School, and Zach Kippenbrock from Kearney High School; and Dr. Teresa Poorman and Lisa Poorman from Kearney.

ADJOURNMENT

At 11:52 a.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Wednesday, February 16, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-EIGHTH DAY - FEBRUARY 16, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 16, 2000

PRAYER

The prayer was offered by Pastor Boyd Pelley, New Covenant Community Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator D. Pederson who was excused; and Senators Brashear, Brown, Coordsen, Dierks, Hartnett, Jensen, Kiel, Landis, Raikes, Robak, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-seventh day was approved.

MESSAGES FROM THE GOVERNOR

February 15, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 55, 151e, 288, 477, 523, 534e, 582, 658, and 788 were received in my office on February 10, 2000.

These bills were signed by me on February 15, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

February 15, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

I am returning LB 729 without my signature and with my objections.

Last year, the Attorney General found a prior version of this legislation to be unconstitutional in several respects. ***See*** Op. Att'y Gen. No. 99-020 (May 4, 1999). In response to the concerns detailed in that opinion, the legislation was modified earlier this year. Remaining concerned that the bill, as amended, might not have cured the original problems identified by the Attorney General, I sought a subsequent opinion regarding the validity of the legislation. On February 14, 2000, the Attorney General issued an opinion finding that LB 729 remains constitutionally suspect for the following reasons: 1) the litigation structured in the bill would not present an actual "case or controversy" to the court and, thus, would place the courts in the position of issuing advisory opinions on challenged petitions; and 2) due to the potential for LB 729 to engender protracted litigation, the measure does not facilitate the initiative and referendum process. ***See*** Op. Att'y Gen. No. 00-011 (February 14, 2000); ***Duggan v. Beermann***, 249 Neb. 411, 544 N.W. 2d 68 (1996); ***State ex rel. Stenberg v. Beermann,*** 240 Neb. 754, 485 N.W. 2d 151 (1992).

I commend the Legislature for your laudable attempt to further streamline procedures involved in the initiative and referendum process. I find, however, that the structure of the bill continues to be unconstitutional.

Sincerely,
(Signed) Mike Johanns
Governor

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 968. Placed on General File as amended.
(Standing Committee amendment, AM2432, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) William R. Wickersham, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1018. Considered.

Senators Dierks, Thompson, Byars, and Schmitt asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers offered the following amendment:
FA292
P. 12, line 9, strike "a representative of the manufacturer or distributor" and insert "a factory representative or a distributor representative"

The Chambers amendment was adopted with 28 ayes, 0 nays, 10 present and not voting, and 11 excused and not voting.

Senator Chambers offered the following amendment:
FA293
P. 12, line 11, strike "or representative of the manufacturer or distributor"

The Chambers amendment was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Senator Beutler offered the following amendment:
AM2442
1. On page 15, line 25, after the period insert "The motor vehicle dealer may charge the seller for such service but shall not charge the purchaser.".

The Beutler amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Chambers offered the following amendment:
FA294
P. 12, line 20, strike "franchisee"

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers withdrew his amendment.

Senator Beutler offered the following amendment:
AM2443
1. On page 19, line 10, after "community" insert "prior to the finalization of negotiations for purchase of a vehicle".

Senator Raikes asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senator Bromm offered the following amendment:
FA295
Strike subsection (5) of Section 6 beginning on Line 26, Pg 18 thru Line 10, Pg 19.

The Bromm amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

Advanced to E & R for review with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORT
Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Transit and Rail Advisory Council
- Allan Abbott
- Ann Boyle
- Duane Eitel
- Roger Figard
- Dave Gilfillan
- Georgia Janssen
- Paul Mullen
- Michael Ongerth
- Tom Wais
- Dennis Wilson

VOTE: Aye: Senators Robak, Bromm, Dw. Pedersen, Thompson, Jones, Baker, Hudkins, and Byars. Nay: None. Absent: None.

(Signed) Curt Bromm, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 812A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 812, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1161A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1161, Ninety-sixth Legislature, Second Session, 2000.

AMENDMENT - Print in Journal

Senator Byars filed the following amendment to LB 950A:
AM2438

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $92,276 from the General Fund for FY2000-01 and (2) $78,905 from the General Fund for FY2001-02 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 950, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $51,241 for FY2000-01 or $54,210 for FY2001-02.

Sec. 2. There is hereby appropriated (1) $103,960 from the General Fund and $159,531 from federal funds for FY2000-01 and (2) $115,077 from the General Fund and $175,264 from federal funds for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 348, to aid in carrying out the provisions of Legislative Bill 950, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 3. There is hereby appropriated (1) $100,000 from federal funds for FY2000-01 and (2) $25,000 from the General Fund for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 341, to aid in carrying out the provisions of Legislative Bill 950, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.".

MESSAGE FROM THE GOVERNOR

February 16, 2000

Patrick J. O'Donnell
Clerk of the Legislature

State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bill 410 was received in my office on February 10, 2000.

This bill was signed by me on February 16, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

NOTICE OF COMMITTEE HEARING
Health and Human Services

Wednesday, February 23, 2000 1:30 p.m.
Health and Human Services System Partnership Council
Peter Tulipana
State Board of Health
Samuel Augustine

(Signed) Jim Jensen, Chairperson

ANNOUNCEMENTS

Senator Janssen designates LB 1352 as his priority bill.

The General Affairs Committee designates LB 973 and LB 1086 as its priority bills.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 1299. Placed on General File.

LEGISLATIVE BILL 1140. Placed on General File as amended.
Standing Committee amendment to LB 1140:
AM2302

1. On page 5, strike the old matter beginning with "add" in line 11 through "Acceptable" in line 14, show as stricken, and insert "administer approved medications by approved methods. Approved"; and in line 15 after "and" insert "approved".

(Signed) Jim Jensen, Chairperson

Education

LEGISLATIVE BILL 1243. Placed on General File as amended.
Standing Committee amendment to LB 1243:
AM2446

1. Insert the following new sections:

"Section 1. The Department of Health and Human Services and the State Department of Education shall jointly establish rates for reimbursements for the educational services provided to state wards in institutions which maintain special education programs which have been approved by the State Department of Education pursuant to section 79-215. Initial rates shall be established prior to August 1, 2000. The rates shall be reviewed and modified prior to December 31, 2000, prior to July 1, 2001, and annually prior to each July 1, thereafter. The rate-setting process shall include a public hearing on the proposed rates. The Department of Health and Human Services and the State Department of Education shall jointly adopt and promulgate rules and regulations to carry out this section.

Sec. 2. Section 79-215, Revised Statutes Supplement, 1998, is amended to read:

79-215. (1) A school board ~~or board of education~~ may admit nonresident ~~pupils~~ students to the school district, may determine the rate of tuition of the ~~pupils~~ students, and shall collect such tuition in advance except as otherwise provided in this section.

(2) When the ~~pupil~~ student as a ward of the state or as a ward of any court (a) has been placed in a school district other than the district in which he or she resided at the time he or she became a ward and such ward does not reside in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used ~~by the Department of Correctional Services~~ pursuant to section 83-108.04 or (b) has been placed in any institution which maintains a special education program which has been approved by the State Department of Education and such institution is not owned or operated by the pupil's resident school district, the cost of his or her education and the required transportation costs associated with the child's education shall be paid by the state, but not in advance, to the receiving school district or approved institution under rules and regulations prescribed by the Department of Health and Human Services and the State Department of Education pursuant to section 1 of this act. Any ~~pupil~~ student who is a ward of the state or a ward of any court who resides in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used ~~by the Department of Correctional Services~~ pursuant to section 83-108.04 shall be deemed a resident of the district in which the foster family home or foster home is located.

(3) In the case of any individual eighteen years of age

or younger who is a ward of the state or any court and who is placed in a county detention home established under section 43-2,110, the cost of his or her education shall be paid by the state, regardless of such individual's district of residency, to the agency or institution which: (a) Is selected by the county board with jurisdiction over such detention home; (b) has agreed or contracted with such county board to provide educational services; and (c) has been approved by the State Department of Education pursuant to rules and regulations prescribed by the State Board of Education.

(4) No tuition shall be charged for children who may be by law allowed to attend the school without charge. The school district in which the parent or guardian of any nonresident ~~pupil~~ student maintains his or her legal residence shall not be liable for the payment of tuition and the children of school age of such parent or guardian shall be entitled to free common school privileges the same as any child who is a bona fide resident of such school district whenever the parent or guardian of such nonresident ~~pupil~~ student, having entered the public service of the State of Nebraska, has moved from the school district in which he or she maintains legal residence into another school district for temporary purposes incidental to serving the state, without the intention of making the school district to which the parent or guardian has moved his or her legal residence. No tuition shall be charged for a child whose parents are divorced if such child attends school in a district in which either parent resides. The burden of proof as to legal residence shall rest with the person claiming legal residence in any district. The school district may allow a ~~pupil~~ student whose residency in the district ceases during a school year to continue attending school for the remainder of that school year without payment of tuition.

(5) The school board ~~or board of education~~ may admit nonresident ~~pupils~~ students to the school district without requiring the payment of tuition if such ~~pupils~~ students are in the actual physical custody of a resident of the school district and are not residents of an adjoining school district and the board determines that the ~~pupils~~ students would otherwise be denied guaranteed free common school privileges.

~~(6) The changes made to this section by Laws 1992, LB 3, Ninety-second Legislature, Third Special Session, shall apply to all reimbursements under this section for school year 1992-93 and all school years thereafter.~~".

2. On page 2, strike beginning with "legal" in line 12 through the first comma in line 14; and in line 25 strike "section" and insert "sections 79-215 and".

3. Renumber the remaining sections accordingly.

(Signed) Ardyce L. Bohlke, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1436. Title read. Considered.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

Senator Lynch asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment, AM2365, found on page 637, was considered.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 922A. Introduced by Cudaback, 36; Suttle, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 922, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

ANNOUNCEMENTS

Senator Kristensen designates LB 1067 as his priority bill.

Senator Crosby designates LB 1253 as her priority bill.

UNANIMOUS CONSENT - Add Cointroducers

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1436. No objections. So ordered.

Senator Price asked unanimous consent to have her name added as cointroducer to LB 1078. No objections. So ordered.

VISITORS

Visitors to the Chamber were Frank Balderson from Scottsbluff, Lorraine Giles from Omaha, and Maryanne Paulger from Fremont; Pam, Amber, and T. J. Nicholson, Kristin, Mike, and Grant Garrison from Papillion; Judge J. Patrick Mullen of District Court #4; 20 seniors and teacher from Nebraska

Christian School, Central City; and members of Leadership Tomorrow from Grand Island and Hastings.

ADJOURNMENT

At 11:58 a.m., on a motion by Senator Janssen, the Legislature adjourned until 9:00 a.m., Thursday, February 17, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

TWENTY-NINTH DAY - FEBRUARY 17, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

TWENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 17, 2000

PRAYER

The prayer was offered by Pastor Donald Morton, United Methodist Church, Culbertson, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:02 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Bourne, Lynch, Matzke, D. Pederson, Preister, and Robak who were excused; and Senators Bromm, Brown, Hartnett, Kiel, Landis, and Raikes who were excused until they arrive.

PRESIDENT MAURSTAD PRESIDING

CORRECTIONS FOR THE JOURNAL

Page 708, strike line 21, and add Dr. Teresa Poorman to the visitors.
The Journal for the twenty-seventh day was approved as corrected.
The Journal for the twenty-eighth day was approved.

ANNOUNCEMENTS

Senator Jones designates LB 171 as his priority bill.

The Government, Military and Veterans Affairs Committee designates LB 803 as its priority bill.

Senator Thompson designates LB 1167 as her priority bill.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1197. Placed on General File as amended.
Standing Committee amendment to LB 1197:
AM2328

1. On page 2, strike lines 15 through 18 and insert

"(a) The existence of a trust and, for an inter vivos trust, the date of execution or, for a testamentary trust, the date of death of the decedent;

(b) The identity of the grantor, settlor, or testator and each currently acting trustee;".

2. On page 3, line 2, strike "settlor" and insert "grantor, settlor, or testator".

LEGISLATIVE BILL 1207. Indefinitely postponed.
LEGISLATIVE BILL 1250. Indefinitely postponed.
LEGISLATIVE BILL 1437. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

Education

LEGISLATIVE BILL 1213. Placed on General File as amended.
Standing Committee amendment to LB 1213:
AM2305

1. Insert the following new sections:

"Sec. 2. Section 77-3442, Revised Statutes Supplement, 1999, is amended to read:

77-3442. (1) Property tax levies for the support of local governments for fiscal years beginning on or after July 1, 1998, shall be limited to the amounts set forth in this section except as provided in section 77-3444.

(2)(a) Except as provided in subdivision (2)(b) of this section, school districts and multiple-district school systems may levy a maximum levy of (i) one dollar and ten cents per one hundred dollars of taxable valuation of property subject to the levy until fiscal year 2001-02 and (ii) one dollar per one hundred dollars of taxable valuation of property subject to the levy for fiscal year 2001-02 and all subsequent fiscal years. Excluded from this limitation are amounts levied to pay for sums agreed to be paid by a school district to certificated employees in exchange for a voluntary termination of employment and amounts levied to pay for special building funds and sinking funds established for projects commenced prior to April 1, 1996, for construction, expansion, or alteration of school district buildings. For purposes of this subsection, commenced means any action taken by the school board on the record which commits the board to expend district funds in planning, constructing, or carrying out the project.

(b) Federal aid school districts may exceed the maximum levy prescribed by subdivision (2)(a) of this section only to the extent necessary to qualify to receive federal aid pursuant to Title VIII of Public Law 103-382. For purposes of this subdivision, federal aid school district means any school district which receives ten percent or more of the revenue for its general fund budget from federal government sources pursuant to Title VIII of Public Law 103-382.

(3) Community colleges may levy a maximum levy on each one hundred dollars of taxable property subject to the levy of (a) eight cents for fiscal year 1998-99 and fiscal year 1999-2000 and (b) seven cents for fiscal year 2000-01 and each fiscal year thereafter.

(4) Natural resources districts may levy a maximum levy of four and one-half cents per one hundred dollars of taxable valuation of property subject to the levy.

(5) Educational service units may levy a maximum levy of one and one-half cents per one hundred dollars of taxable valuation of property subject to the levy.

(6) Incorporated cities and villages may levy a maximum levy of forty-five cents per one hundred dollars of taxable valuation of property subject to the levy plus an additional five cents per one hundred dollars of taxable valuation to provide financing for the municipality's share of revenue required under an agreement or agreements executed pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act. The maximum levy shall include amounts levied to pay for sums to support a library pursuant to section 51-201, museum pursuant to section 51-501, visiting community nurse, home health nurse, or home health agency pursuant to section 71-1637, or statue, memorial, or monument pursuant to section 80-202.

(7) Sanitary and improvement districts which have been in existence for more than five years may levy a maximum levy of forty cents per one hundred dollars of taxable valuation of property subject to the levy, and sanitary and improvement districts which have been in existence for five years or less shall not have a maximum levy.

(8) Counties may levy or authorize a maximum levy of fifty cents per one hundred dollars of taxable valuation of property subject to the levy, except that five cents per one hundred dollars of taxable valuation of property subject to the levy may only be levied to provide financing for the county's share of revenue required under an agreement or agreements executed pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act. The maximum levy shall include amounts levied to pay for sums to support a library pursuant to section 51-201 or museum pursuant to section 51-501. The county may allocate up to fifteen cents of its authority to other political subdivisions subject to allocation of property tax authority under subsection (1) of

section 77-3443 and not specifically covered in this section to levy taxes as authorized by law which do not collectively exceed fifteen cents per one hundred dollars of taxable valuation on any parcel or item of taxable property. The county may allocate to one or more other political subdivisions subject to allocation of property tax authority by the county under subsection (1) of section 77-3443 some or all of the county's five cents per one hundred dollars of valuation authorized for support of an agreement or agreements to be levied by the political subdivision for the purpose of supporting that political subdivision's share of revenue required under an agreement or agreements executed pursuant to the Interlocal Cooperation Act or the Joint Public Agency Act. If an allocation by a county would cause another county to exceed its levy authority under this section, the second county may exceed the levy authority in order to levy the amount allocated.

(9) Property tax levies for judgments obtained against a political subdivision which require or obligate a political subdivision to pay such judgment, to the extent such judgment is not paid by liability insurance coverage of a political subdivision, for preexisting lease-purchase contracts approved prior to July 1, 1998, for bonded indebtedness approved according to law and secured by a levy on property, and for payments by a public airport to retire interest-free loans from the Department of Aeronautics in lieu of bonded indebtedness at a lower cost to the public airport are not included in the levy limits established by this section.

(10) The limitations on tax levies provided in this section are to include all other general or special levies provided by law. Notwithstanding other provisions of law, the only exceptions to the limits in this section are those provided by or authorized by sections 77-3442 to 77-3444.

(11) Tax levies in excess of the limitations in this section shall be considered unauthorized levies under section 77-1606 unless approved under section 77-3444.

(12) For purposes of sections 77-3442 to 77-3444, political subdivision means a political subdivision of this state and a county agricultural society, and a multiple-district school system is a single political subdivision with multiple governing bodies.

Sec. 3. Section 77-3444, Revised Statutes Supplement, 1999, is amended to read:

77-3444. (1) A political subdivision~~, other than a Class I school district,~~ may exceed the limits provided in section 77-3442 or a final levy allocation determination as provided in section 77-3443 by an amount not to exceed a maximum levy approved by a majority of registered voters voting on the issue in a primary, general, or special election at which the issue is placed before the registered voters. A vote to exceed the limits provided in section 77-3442 or a final levy allocation as provided in section 77-3443 must be approved prior to October 10 of the fiscal year which is to be the first to exceed the limits or final levy allocation. The governing body of the political subdivision may call for the submission of the issue to the voters (a) by passing a resolution calling for exceeding the limits or final levy allocation by a vote of at least two-thirds of the members of the governing body and delivering a copy of the resolution to the county clerk or election commissioner of every county which contains all or part of the political subdivision or (b) upon receipt of a petition by the county clerk or election commissioner of every county containing all or part of the political subdivision requesting an election signed by at least five percent of the registered voters residing in the political subdivision. The resolution or petition shall include the amount of levy which would be imposed in excess of the limits provided in section 77-3442 or the final levy allocation as provided in section 77-3443 and the duration of the excess levy authority. The excess levy authority shall not have a duration greater than five years. Any resolution or petition calling for a special election shall be filed with the county clerk or election commissioner no later than thirty days prior to the date of the election, and the time of publication and providing a copy of the notice of election required in section 32-802 shall be no later than twenty days prior to the election. The county clerk or election commissioner shall place the issue on the ballot at an election as called for in the resolution or petition which is at least thirty days after receipt of the resolution or petition. The election shall be held pursuant to the Election Act. For petitions filed with the county clerk or election commissioner on or after May 1, 1998, the petition shall be in the form as provided in sections 32-628 to 32-631. Any excess levy authority approved under this section shall terminate pursuant to its terms, on a vote of the governing body of the political subdivision which called for submission of the issue to the voters to terminate the authority to levy more than the limits, at the end of the fourth fiscal year following the first year in which the levy exceeded the limit or the final levy allocation, or as provided in subsection (5) of this section, whichever is earliest. A governing body may pass no more than one resolution calling for an election pursuant to this section during any one calendar year. Only one election may be held in any one calendar year pursuant to a petition initiated under this section.

(2) The ballot question may include any terms and conditions set forth in the resolution or petition and shall include the following: "Shall (name of political subdivision) be allowed to levy a property tax not to exceed .... cents per one hundred dollars of taxable valuation in excess of the limits prescribed by law until fiscal year .... for the purposes of (general operations; building construction, remodeling, or site acquisition; or both general operations and building construction,

remodeling, or site acquisition)?". If a majority of the votes cast upon the ballot question are in favor of such tax, the county board shall authorize a tax in excess of the limits in section 77-3442 or the final levy allocation in section 77-3443 but such tax shall not exceed the amount stated in the ballot question. If a majority of those voting on the ballot question are opposed to such tax, the governing body of the political subdivision shall not impose such tax.

(3) The county clerk or election commissioner may set a uniform date for a special election to be held before October 10, 1998, to submit the issue of exceeding the limits provided in section 77-3442 or the final levy allocation as provided in section 77-3443 to the voters of political subdivisions in the county seeking additional levy authority. Any political subdivision may individually or in conjunction with one or more other political subdivisions conduct a special election on a date different from that set by the county clerk or election commissioner, except that a governing body shall pass a resolution calling for a special election for this purpose and deliver a copy of the resolution to the county clerk or election commissioner no later than thirty days prior to the date of the election.

(4) In lieu of the election procedures in subsection (1) of this section, any political subdivision subject to section 77-3443~~, other than a Class I school district,~~ and villages may approve a levy in excess of the limits in section 77-3442 or the final levy allocation provided in section 77-3443 for a period of one year at a meeting of the residents of the political subdivision or village, called after notice is published in a newspaper of general circulation in the political subdivision or village at least twenty days prior to the meeting. At least ten percent of the registered voters residing in the political subdivision or village shall constitute a quorum for purposes of taking action to exceed the limits or final levy allocation. If a majority of the registered voters present at the meeting vote in favor of exceeding the limits or final levy allocation, a copy of the record of that action shall be forwarded to the county board prior to October 10 and the county board shall authorize a levy as approved by the residents for the year. If a majority of the registered voters present at the meeting vote against exceeding the limits or final allocation, the limit or allocation shall not be exceeded and the political subdivision shall have no power to call for an election under subsection (1) of this section.

(5) A political subdivision~~, other than a Class I school district,~~ may rescind or modify a previously approved excess levy authority prior to its expiration by a majority of registered voters voting on the issue in a primary, general, or special election at which the issue is placed before the registered voters. A vote to rescind or modify must be approved prior to October 10 of the fiscal year for which it is to be effective. The governing

body of the political subdivision may call for the submission of the issue to the voters (a) by passing a resolution calling for the rescission or modification by a vote of at least two-thirds of the members of the governing body and delivering a copy of the resolution to the county clerk or election commissioner of every county which contains all or part of the political subdivision or (b) upon receipt of a petition by the county clerk or election commissioner of every county containing all or part of the political subdivision requesting an election signed by at least five percent of the registered voters residing in the political subdivision. The resolution or petition shall include the amount and the duration of the previously approved excess levy authority and a statement that either such excess levy authority will be rescinded or such excess levy authority will be modified. If the excess levy authority will be modified, the amount and duration of such modification shall be stated. The modification shall not have a duration greater than five years. The county clerk or election commissioner shall place the issue on the ballot at an election as called for in the resolution or petition which is at least thirty days after receipt of the resolution or petition, and the time of publication and providing a copy of the notice of election required in section 32-802 shall be no later than twenty days prior to the election. The election shall be held pursuant to the Election Act.

(6) For purposes of this section, when the political subdivision is a sanitary and improvement district, registered voter means a person qualified to vote as provided in section 31-735. Any election conducted under this section for a sanitary and improvement district shall be conducted and counted as provided in sections 31-735 to 31-735.06.

(7) For purposes of this section, when the political subdivision is a school district or a multiple-district school system, registered voter includes ~~both~~ (a) persons qualified to vote for the members of the school board of the school district ~~which is voting to exceed the maximum levy limits pursuant to this section~~ and (b) persons in those portions of any Class I district which are affiliated with or a part of the ~~school district which is voting pursuant to this section~~ multiple-district school system, if such voter is also qualified to vote for the school board of the affected Class I school district.".

2. On page 18, line 18, after the third comma insert "77-3442, 77-3444,".

3. Renumber the remaining sections and correct internal references accordingly.

(Signed) Ardyce L. Bohlke, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 16, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Blankenau, Don – Lincoln; Carsdirect.Com
Bukar, Nancy – Washington; Consumer Healthcare Products Association
Corn, Robert – Omaha; Mutual of Omaha Companies
Karnes, David – Omaha; Carsdirect.Com
Kissel, Gordon – Lincoln; Professional Engineers Coalition
Vickers, Tom – Lincoln; Nebraskans for Wilderness Camps

MOTIONS - Approve Appointments

Senator Brashear moved the adoption of the report of the Judiciary Committee for the following appointment found on page 658: Board of Parole – Mike Gomez.

Voting in the affirmative, 29:

Aguilar	Baker	Bohlke	Brashear	Bruning
Byars	Chambers	Connealy	Crosby	Cudaback
Dickey	Dierks	Hudkins	Janssen	Jensen
Kristensen	Pedersen, Dw.	Price	Quandahl	Redfield
Schimek	Schrock	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	

Voting in the negative, 0.

Present and not voting, 8:

Beutler	Coordsen	Engel	Hilgert	Jones
Kremer	Schmitt	Wickersham		

Excused and not voting, 12:

Bourne	Bromm	Brown	Hartnett	Kiel
Landis	Lynch	Matzke	Pederson, D.	Preister
Raikes	Robak			

The appointment was confirmed with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.

Senator Brashear moved the adoption of the report of the Judiciary Committee for the following appointments found on page 658: Crime Victims Reparation Committee - William Brueggemann and Scot Ford.

Voting in the affirmative, 26:

Aguilar Baker Bohlke Brashear Bromm
Bruning Byars Connealy Crosby Engel
Hudkins Janssen Kristensen Pedersen, Dw. Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Stuhr Suttle Thompson Tyson
Vrtiska

Voting in the negative, 1:

Chambers

Present and not voting, 12:

Beutler Coordsen Cudaback Dickey Dierks
Hilgert Jensen Jones Kremer Smith
Wehrbein Wickersham

Excused and not voting, 10:

Bourne Brown Hartnett Kiel Landis
Lynch Matzke Pederson, D. Preister Robak

The appointments were confirmed with 26 ayes, 1 nay, 12 present and not voting, and 10 excused and not voting.

Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointments found on page 673: State Emergency Response Commission - Christine Bleich, Kim Herald, and Steve Wood.

Senator Chambers requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointment found on page 673: State Emergency Response Commission - Christine Bleich.

Voting in the affirmative, 30:

Aguilar Baker Bohlke Bromm Bruning
Byars Chambers Connealy Crosby Cudaback
Dickey Dierks Engel Hilgert Hudkins

Janssen
Kremer
Pedersen, Dw.
Price
Quandahl
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Vrtiska
Wehrbein

Voting in the negative, 0.

Present and not voting, 9:

Beutler
Brashear
Coordsen
Jensen
Jones
Kristensen
Raikes
Tyson
Wickersham

Excused and not voting, 10:

Bourne
Brown
Hartnett
Kiel
Landis
Lynch
Matzke
Pederson, D.
Preister
Robak

The appointment was confirmed with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

The second division is as follows:
Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointments found on page 673: State Emergency Response Commission - Kim Herald and Steve Wood.

Voting in the affirmative, 29:

Aguilar
Baker
Bohlke
Brashear
Bromm
Bruning
Byars
Connealy
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Kremer
Pedersen, Dw.
Price
Quandahl
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 9:

Beutler
Coordsen
Jensen
Jones
Kristensen
Raikes
Thompson
Tyson
Wickersham

Excused and not voting, 10:

Bourne
Brown
Hartnett
Kiel
Landis

Lynch Matzke Pederson, D. Preister Robak

The appointments were confirmed with 29 ayes, 1 nay, 9 present and not voting, and 10 excused and not voting.

Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointment found on page 673: State Emergency Response Commission – Mark Reimers.

Voting in the affirmative, 31:

Aguilar Bohlke Brashear Bromm Bruning
Byars Connealy Coordsen Crosby Cudaback
Dickey Dierks Engel Hilgert Hudkins
Janssen Jones Kremer Landis Pedersen, Dw.
Price Quandahl Redfield Schimek Schmitt
Schrock Smith Stuhr Suttle Vrtiska
Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 8:

Baker Beutler Jensen Kristensen Raikes
Thompson Tyson Wehrbein

Excused and not voting, 9:

Bourne Brown Hartnett Kiel Lynch
Matzke Pederson, D. Preister Robak

The appointment was confirmed with 31 ayes, 1 nay, 8 present and not voting, and 9 excused and not voting.

Senator Schrock moved the adoption of the report of the Natural Resources Committee for the following appointment found on page 673: Nebraska Ethanol Board – Lee Grove.

Voting in the affirmative, 34:

Aguilar Brashear Bromm Bruning Byars
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hilgert Hudkins Janssen

Jensen Kiel Kremer Pedersen, Dw. Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 7:

Baker Beutler Bohlke Chambers Jones
Kristensen Landis

Excused and not voting, 8:

Bourne Brown Hartnett Lynch Matzke
Pederson, D. Preister Robak

The appointment was confirmed with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

MESSAGES FROM THE GOVERNOR

February 16, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Commission of Industrial Relations:

APPOINTEE:
Brenda Council, 2001 Florence Mills Plz, Omaha NE 68110

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

February 16, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Health & Human Services System Partnership Council:

APPOINTEE:
Christopher Rodgers, 4207 Camden Ave, Omaha NE 68111

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

February 16, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Nebraska Boiler Safety Code Advisory Board:

APPOINTEE:
James E. Marvin, 1258 S 164, Omaha NE 68130

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

February 16, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the Coordinating Commission for Post-Secondary Education:

APPOINTEES:
Debra Fischer, 808 Desirae Dr, Valentine NE 69201
Megan Massey, 90473 28 Ave, Scottsbluff NE 69361
*Dick Davis, 1626 N 137, Omaha NE 68154

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

NOTICE OF COMMITTEE HEARINGS
Health and Human Services

Thursday, February 24, 2000 1:30 p.m.
Health and Human Services System Partnership Council
Stacie Bleicher
State Board of Health
Jeffrey Akerson
David Hoover
James Schiefen

(Signed) Jim Jensen, Chairperson

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 1274. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

REPORTS

The following reports were received by the Legislature:

Economic Development, Department of
Microenterprise Development Act Report (LB 327)

Environmental Quality, Department of
Litter Reduction and Recycling Grant Program Annual Report

Health and Human Services System
Office of System Advocate October-December Quarterly Report

Law Enforcement and Criminal Justice, Commission on
Statewide Criminal Justice Drug and Violent Crime Updated Strategy Report

Roads, Department of
Gasohol at State Facilities and Implementation of Voyager Fleet Fuel Card

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 204.

A BILL FOR AN ACT relating to law enforcement; to prohibit ticket quota requirements.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Pedersen, Dw.
Price
Quandahl
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Tyson

Present and not voting, 1:

Raikes

Excused and not voting, 8:

Bourne Brown Hartnett Lynch Matzke
Pederson, D. Preister Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 419.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1359 and 77-1361, Revised Statutes Supplement, 1998; to change provisions relating to valuation of farm sites; to define and redefine terms; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar Baker Beutler Bohlke Brashear
Bromm Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Pedersen, Dw. Price Quandahl Raikes Redfield
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 8:

Bourne Brown Hartnett Lynch Matzke
Pederson, D. Preister Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 504.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-301, Reissue Revised Statutes of Nebraska; to redefine automobile liability policy; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to

procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar Baker Beutler Bohlke Brashear
Bromm Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Pedersen, Dw. Price Quandahl Raikes Redfield
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 8:

Bourne Brown Hartnett Lynch Matzke
Pederson, D. Preister Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 510.

A BILL FOR AN ACT relating to the Attorney General; to amend sections 32-507 and 32-609, Reissue Revised Statutes of Nebraska; to provide for the election of the Attorney General on a nonpartisan basis; and to repeal the original sections.

Senator Chambers requested a roll call vote.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 24:

Beutler Bohlke Brashear Bromm Byars
Chambers Connealy Cudaback Dierks Engel
Hilgert Janssen Kiel Kristensen Landis
Pedersen, Dw. Price Raikes Schmitt Schrock
Suttle Thompson Wehrbein Wickersham

Voting in the negative, 17:

Aguilar Baker Bruning Coordsen Crosby
Dickey Hudkins Jensen Jones Kremer
Quandahl Redfield Schimek Smith Stuhr

Tyson
Vrtiska

Excused and not voting, 8:

Bourne
Brown
Hartnett
Lynch
Matzke
Pederson, D.
Preister
Robak

Having failed to receive a constitutional majority voting in the affirmative, the bill failed to pass.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 626 with 35 ayes, 2 nays, 4 present and not voting, and 8 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 626.

A BILL FOR AN ACT relating to property rights; to amend section 25-2130, Reissue Revised Statutes of Nebraska; to adopt the Trademark Registration Act; to change provisions relating to damages for willful trespass; to eliminate trademark registration provisions; to repeal the original section; and to outright repeal sections 87-111 to 87-125, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 8:

Bourne
Brown
Hartnett
Lynch
Matzke
Pederson, D.
Preister
Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 654 with 36 ayes, 2 nays, 3 present and not voting, and 8 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 654. With Emergency.

A BILL FOR AN ACT relating to state government; to amend sections 29-3912, 35-529, 77-2608, 81-145, 81-149, 81-150, 81-151, 81-153, 81-154.01, 81-159, 81-161, 81-161.01, 81-161.02, 81-161.04, 81-164, 81-166, 81-168, 81-171, 81-1108, 81-1108.41, 81-1114.02, 81-1118, 81-1118.01, 81-1118.03, 81-1118.04, 81-1118.06, 81-1120.35 to 81-1120.38, 81-1120.40, 81-1184, 81-1185, 81-1186, 81-1187, 81-1316, 81-1348, 81-2304, 81-2307, 81-2308.01, 83-140, 84-1601, 84-1602, 84-1603, 84-1605, 84-1606, 84-1613, and 84-1616, Reissue Revised Statutes of Nebraska, sections 81-154, 81-161.03, and 81-188.01, Revised Statutes Supplement, 1998, and section 60-311, Revised Statutes Supplement, 1999; to change provisions relating to the Department of Administrative Services; to change provisions relating to purchasing, departmental organization, funding, facility planning, capital construction, recycling management, and powers and duties; to create a fund; to provide an exemption from the State Personnel System; to change terms of office for the Suggestion Award Board; to eliminate a termination date, obsolete provisions, and a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 81-163.01, 81-1120.32 to 81-1120.34, 81-1120.39, and 81-1354.02, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Bruning	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Pedersen, Dw.	Price	Quandahl	Raikes	Redfield
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 7:

Bourne
Hartnett
Lynch
Matzke
Pederson, D.
Preister
Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 654A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 654, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 40:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Kristensen
Landis

Excused and not voting, 7:

Bourne
Hartnett
Lynch
Matzke
Pederson, D.
Preister
Robak

A constitutional two-thirds majority having voted in the affirmative, the

bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 701.

A BILL FOR AN ACT relating to recreational trails; to amend sections 37-1011 to 37-1014, Reissue Revised Statutes of Nebraska, and section 37-303, Revised Statutes Supplement, 1999; to change provisions relating to state recreational trails and division fence cost-share responsibilities and construction; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Kiel
Kremer
Kristensen
Landis
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 1:

Jones

Present and not voting, 1:

Wickersham

Excused and not voting, 7:

Bourne
Hartnett
Lynch
Matzke
Pederson, D.
Preister
Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 204, 419, 504, 626, 654, 654A, and 701.

GENERAL FILE

LEGISLATIVE BILL 1436. The Standing Committee amendment, AM2365, found on page 637 and considered on page 717, was renewed.

Pending.

ANNOUNCEMENT

Senator Landis designates LB 925 as his priority bill.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 17, 2000, at 10:10 a.m., were the following: LBs 204, 419, 504, 626, 654e, 654Ae, and 701.

(Signed) Diana Bridges
Clerk of the Legislature's Office

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 1077. Placed on General File.
LEGISLATIVE BILL 1268. Placed on General File.
LEGISLATIVE BILL 1283. Placed on General File.
LEGISLATIVE BILL 1295. Placed on General File.
LEGISLATIVE BILL 1322. Placed on General File.
LEGISLATIVE BILL 1362. Placed on General File.

LEGISLATIVE BILL 1419. Placed on General File as amended.
Standing Committee amendment to LB 1419:
AM2409
1. On page 2, line 5, strike "resident licensed" and show the old matter as stricken; and in line 6 after "dealer" insert "licensed in accordance with Chapter 60, article 14,".

(Signed) Curt Bromm, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1436. Senator Chambers moved to bracket until February 22, 2000.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers withdrew his motion to bracket.

The Standing Committee amendment, AM2365, found on page 637 and considered on pages 717 and 739, was renewed.

The Standing Committee amendment was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

Senators Jensen and Byars offered the following amendment:
AM2458

1. Strike sections 3 to 5 and all amendments thereto and insert the following new sections:

"Sec. 3. Section 77-2602, Revised Statutes Supplement, 1999, is amended to read:

77-2602. (1) Every person engaged in distributing or selling cigarettes at wholesale in this state shall pay to the Tax Commissioner of this state a special privilege tax. This shall be in addition to all other taxes. It shall be paid prior to or at the time of the sale, gift, or delivery to the retail dealer in the several amounts as follows: On each package of cigarettes containing not more than twenty cigarettes, ~~thirty-four~~ thirty-five cents per package; and on packages containing more than twenty cigarettes, the same tax as provided on packages containing not more than twenty cigarettes for the first twenty cigarettes in each package and a tax of one-twentieth of the tax on the first twenty cigarettes on each cigarette in excess of twenty cigarettes in each package. Commencing July 1, 1994, and continuing until July 1, 2009, the State Treasurer shall place the equivalent of twenty-one cents of such tax less three million dollars each fiscal year of proceeds of such tax in the General Fund. Commencing July 1, 2009, the State Treasurer shall place the equivalent of twenty-one cents of such tax in the General Fund. For purposes of this section, the equivalent of a specified number of cents of the tax shall mean that portion of the proceeds of the tax equal to the specified number divided by ~~thirty-four~~ thirty-five. The State Treasurer shall distribute the remaining proceeds of such tax in the following order:

(a) First, beginning July 1, 1980, the State Treasurer shall place the equivalent of one cent of such tax in the Nebraska Outdoor Recreation Development Cash Fund. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the twenty-one-cent distribution to the General Fund;

(b) Second, beginning July 1, 1993, the State Treasurer shall place the equivalent of three cents of such tax in the Department of Health and Human Services Finance and Support Cash Fund to carry out sections 81-637 to 81-640. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the twenty-one-cent distribution to the General Fund;

(c) Third, beginning July 1, 1995, the State Treasurer shall place the equivalent of two cents of such tax in the City of Omaha Public Events Facilities Fund for each fiscal year through fiscal year 2000-01. The Legislature shall appropriate all sums inuring to the fund to the city of Omaha upon evidence that any amounts so appropriated are matched with funds derived from sources other than state funds in amounts equivalent to one dollar for every two dollars appropriated. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the twenty-one-cent distribution to the General Fund;

(d) Fourth, beginning July 1, 1997, and continuing until July 1, 2001, the State Treasurer shall place the equivalent of seven cents of such tax in the Building Renewal Allocation Fund for each fiscal year, for the purposes stated in the Deferred Building Renewal Act. Beginning July 1, 2001, and continuing until all the purposes of the Deferred Building Renewal Act have been fulfilled, the State Treasurer shall place the equivalent of nine cents of such tax in the Building Renewal Allocation Fund. The Legislature shall appropriate each fiscal year all sums inuring to the fund, plus interest earnings for the Task Force for Building Renewal to be used to carry out its duties and to fulfill the purposes of the Deferred Building Renewal Act. Unexpended balances existing at the end of each fiscal year shall be, and are hereby, reappropriated. For fiscal year distributions occurring after FY1998-99, the distribution under this subdivision shall not be less than the amount distributed under this subdivision for FY1997-98. Any money needed to increase the amount distributed under this subdivision to the FY1997-98 amount shall reduce the twenty-one-cent distribution to the General Fund;

(e) Fifth, the State Treasurer shall place the difference between the equivalent of thirteen cents of such tax and the sum of the amounts distributed pursuant to subdivisions (a) through (d) of this subsection in a special fund to be known as the Nebraska Capital Construction Fund; ~~and~~

(f) Sixth, beginning July 1, 1994, and continuing until July 1, 2009, the State Treasurer shall place in the Municipal Infrastructure Redevelopment Fund the sum of three million dollars each fiscal year to carry out the Municipal Infrastructure Redevelopment Fund Act. The Legislature shall appropriate the sum of three million dollars each year for fiscal year 1994-95 through fiscal year 2008-09; and

(g) Seventh, beginning on July 1, 2000, the State Treasurer shall place the equivalent of one cent of such tax in the Teen Tobacco Education and Prevention Project Fund to carry out the purposes set forth in section 1 of this act.

(2) The Legislature hereby finds and determines that the projects funded from the Municipal Infrastructure Redevelopment

Fund, the City of Omaha Public Events Facilities Fund, and the Building Renewal Allocation Fund are of critical importance to the State of Nebraska. It is the intent of the Legislature that the allocations and appropriations made by the Legislature to such funds or, in the case of allocations for the Municipal Infrastructure Redevelopment Fund, to the particular municipality's account not be reduced until all contracts and securities relating to the construction and financing of the projects or portions of the projects funded from such funds or accounts of such funds are completed or paid or, in the case of the Municipal Infrastructure Redevelopment Fund, the earlier of such date or July 1, 2009, and that until such time any reductions in the cigarette tax rate made by the Legislature shall be simultaneously accompanied by equivalent reductions in the amount dedicated to the General Fund from cigarette tax revenue. Any provision made by the Legislature for distribution of the proceeds of the cigarette tax for projects or programs other than those to (a) the General Fund, (b) the Nebraska Outdoor Recreation Development Cash Fund, (c) the Department of Health and Human Services Finance and Support Cash Fund, (d) the Municipal Infrastructure Redevelopment Fund, (e) the City of Omaha Public Events Facilities Fund, ~~and~~ (f) the Building Renewal Allocation Fund, and (g) the Teen Tobacco Education and Prevention Project Fund shall not be made a higher priority than or an equal priority to any of the programs or projects specified in subdivisions (a) through ~~(f)~~ (g) of this subsection.

Sec. 4. Original section 77-2602, Revised Statutes Supplement, 1999, is repealed.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 4, strike beginning with "investment" in line 18 through line 20 and insert "money credited pursuant to section 77-2602. The fund"; and strike beginning with "Teen" in line 25 through "Fund" in line 26 and insert "fund".

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bohlke requested a ruling of the Chair on whether the Jensen-Byars amendment is germane to the bill.

The Chair ruled the Jensen-Byars amendment is not germane to the bill.

Senator Bohlke moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Bohlke requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 28:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Bruning
Coordsen
Crosby
Cudaback
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jones
Kremer
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schmitt
Schrock
Smith
Stuhr
Vrtiska
Wickersham

Voting in the negative, 7:

Byars
Dickey
Dierks
Jensen
Landis
Thompson
Wehrbein

Present and not voting, 6:

Brown
Chambers
Connealy
Kiel
Schimek
Suttle

Excused and not voting, 8:

Bourne
Kristensen
Lynch
Matzke
Pederson, D.
Preister
Robak
Tyson

Advanced to E & R for review with 28 ayes, 7 nays, 6 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

STANDING COMMITTEE REPORTS

General Affairs

LEGISLATIVE BILL 1346. Placed on General File.

LEGISLATIVE BILL 1034. Indefinitely postponed.

(Signed) Ray Janssen, Chairperson

Business and Labor

LEGISLATIVE BILL 1312. Indefinitely postponed.
LEGISLATIVE BILL 1342. Indefinitely postponed.

(Signed) Floyd P. Vrtiska, Chairperson

General Affairs

LEGISLATIVE BILL 1094. Placed on General File as amended.

Standing Committee amendment to LB 1094:
AM2370
1. On page 3, line 23, strike "shall" and insert ", in its discretion, may".

(Signed) Ray Janssen, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 925A. Introduced by Landis, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 925, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORTS
General Affairs

The General Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Liquor Control Commission
  Rhonda Flower

VOTE: Aye: Senators Connealy, Cudaback, Dickey, Hartnett, Janssen, Quandahl, Schrock, and Smith. Nay: None. Absent: None.

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Arts Council
  Fred Teller
  Robert Wolfe

VOTE: Aye: Senators Connealy, Dickey, Hartnett, Janssen, Quandahl, Schrock, and Smith. Nay: None. Absent: Senator Cudaback.

(Signed) Ray Janssen, Chairperson

ANNOUNCEMENT

The Appropriations Committee designates LB 1396 as its priority bill.

Senator Wehrbein designates LB 1223 as his priority bill.

GENERAL FILE

LEGISLATIVE BILL 1190. Title read. Considered.

The Standing Committee amendment, AM2114, found on page 572, was considered.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 12 present and not voting, and 10 excused and not voting.

AMENDMENTS - Print in Journal

Senator Redfield filed the following amendment to LB 438:
AM2452

(Amendments to Final Reading copy)

1. Strike original section 2 and insert the following new section:

"Sec. 2. Section 49-1447, Reissue Revised Statutes of Nebraska, is amended to read:

49-1447. (1) The committee treasurer shall keep detailed accounts, records, bills, and receipts necessary to substantiate the information contained in a statement or report filed pursuant to sections 49-1445 to 49-1479 or rules and regulations adopted and promulgated under ~~sections 49-1401 to 49-14,138~~ the Nebraska Political Accountability and Disclosure Act.

(2)(a) For any committee other than a candidate committee, the committee treasurer shall be responsible for filing all statements and reports of the committee required to be filed under the act and shall be personally liable subject to section 3 of this act for any late filing fees, civil penalties, and interest that may be due under the act as a result of a failure to make such filings.

(b) For candidate committees, the candidate shall be responsible for filing all statements and reports required to be filed by his or her candidate committee under the Nebraska Political Accountability and Disclosure Act or the Campaign Finance Limitation Act and may delegate such responsibility to the committee treasurer. The candidate and the committee treasurer shall be personally liable for any late filing fees, civil penalties, and interest that may be due under either act as a result of a failure to make such filings. The commission shall take reasonable steps to collect late filing fees, civil penalties, and interest from the candidate before attempting to collect late filing fees, civil penalties, and interest from the committee treasurer. If the commission obtains a judgment against the candidate and the committee treasurer for the payment of late filing fees, civil penalties, and interest, the commission shall take reasonable steps to collect from the candidate before attempting to collect from the committee treasurer.

(3) The committee treasurer shall record the name and address of each person from whom a contribution is received except for contributions of fifty dollars or less received pursuant to subsection (2) of section 49-1472.

(4) The records of a committee shall be preserved for five years and shall be made available for inspection as authorized by the commission.

(5) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor.".

Senator Wickersham filed the following amendment to LB 1107:
AM2463

1. On page 7, strike beginning with "receiving" in line 8 through "Act" in line 9; and in line 11 strike "system" and insert "systems".

STANDING COMMITTEE REPORT
Revenue

LEGISLATIVE BILL 1138. Placed on General File as amended.
Standing Committee amendment to LB 1138:
AM2464

1. Strike original sections 6 and 21 and insert the following new sections:

"Sec. 2. Section 13-519, Revised Statutes Supplement, 1998, is amended to read:

13-519. (1) For fiscal years beginning on or after July 1, 1996, and before July 1, 1997, no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus population growth plus two percent expressed in dollars. For cities of the first and second class and villages, restricted funds shall be reduced to take into account the fourteen-month fiscal year for 1995-96. For fiscal years beginning on or after July 1, 1997, and before July 1, 1998, no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus population growth expressed in dollars. For all fiscal years beginning on or after July 1, 1998, no governmental unit shall adopt a budget containing a total of budgeted restricted funds more than the last prior year's total of budgeted restricted funds plus allowable growth plus the basic allowable growth percentage of the base limitation established under section 77-3446. For all fiscal years beginning on or after July 1, 1998, and before July 1, 1999, the last prior year's total of restricted funds shall be the last prior year's total of restricted funds not excluding restricted funds budgeted for acquisition or replacement of tangible personal property with a useful life of five years or more in the last prior year or the year before the last prior year, whichever excluded the most, plus restricted funds budgeted to pay for lease-purchase contracts approved on or after July 1, 1997, and before July 1, 1998, to the extent the lease payments are not budgeted restricted funds for fiscal year 1997-98. For fiscal year 2000-01, for all natural resources districts, the prior year's total of restricted funds shall be the last prior year's total of restricted funds plus any amount budgeted to be received from the Natural Resources Enhancement Fund for that year. If a governmental unit transfers the financial responsibility of providing a service financed in whole or in part with restricted funds to another governmental unit or the state, the amount of restricted funds associated with providing the service shall be subtracted from the last prior year's total of budgeted restricted funds for the previous provider and may be added to the last prior year's total of restricted funds for the new provider. For governmental units that have consolidated, the calculations made under this section for consolidating units shall be made based on the combined total of restricted funds, population, or full-time equivalent students of each governmental unit.

(2) In addition to the increase allowed in subsection (1) of this section, for fiscal years beginning on or after July 1, 1998, and before July 1, 1999, a governmental unit may increase its budget of restricted funds no more than four percent to create or increase an existing qualified sinking fund or funds upon the affirmative vote of at least seventy-five percent of the governing body. Any unused authority granted in this subsection may not be carried forward under section 13-521.

(3) A governmental unit may exceed the limit provided in subsection (1) of this section for a fiscal year by up to an additional one percent upon the affirmative vote of at least seventy-five percent of the governing body.

(4) A governmental unit may exceed the applicable allowable growth percentage otherwise prescribed in this section by an amount approved by a majority of legal voters voting on the issue at a special election called for such purpose upon the recommendation of the governing body or upon the receipt by the county clerk or election commissioner of a petition requesting an election signed by at least five percent of the legal voters of the governmental unit. The recommendation of the governing body or the petition of the legal voters shall include the amount and percentage by which the governing body would increase its budgeted restricted funds for the ensuing year over and above the current year's budgeted restricted funds. The county clerk or election

commissioner shall call for a special election on the issue within fifteen days after the receipt of such governing body recommendation or legal voter petition. The election shall be held pursuant to the Election Act, and all costs shall be paid by the governing body. The issue may be approved on the same question as a vote to exceed the levy limits provided in section 77-3444.

(5) In lieu of the election procedures in subsection (4) of this section, any governmental unit may exceed the allowable growth percentage otherwise prescribed in this section by an amount approved by a majority of legal voters voting at a meeting of the residents of the governmental unit, called after notice is published in a newspaper of general circulation in the governmental unit at least twenty days prior to the meeting. At least ten percent of the registered voters residing in the governmental unit shall constitute a quorum for purposes of taking action to exceed the allowable growth percentage. If a majority of the registered voters present at the meeting vote in favor of exceeding the allowable growth percentage, a copy of the record of that action shall be forwarded to the Auditor of Public Accounts along with the budget documents. The issue to exceed the allowable growth percentage may be approved at the same meeting as a vote to exceed the limits or final levy allocation provided in section 77-3444.

Sec. 16. The Department of Revenue shall adopt and promulgate rules and regulations to carry out sections 7 to 14 of this act.".

2. On page 4, line 4, after "act" insert "and funds distributed from the Natural Resources Enhancement Fund".

3. On page 8, line 27, strike "four million six" and insert "two million three".

4. On page 17, lines 6 through 22; and page 18, lines 8 through 13, reinstate the stricken matter and strike the new matter.

5. On page 20, strike beginning with "Sections" in line 14 through line 15 and insert "This act becomes".

6. Renumber the remaining sections accordingly.

(Signed) William R. Wickersham, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 1253. No objections. So ordered.

VISITORS

Visitors to the Chamber were Senator Dierks' daughter-in-law and grandchildren, Suzanne, Nathan, Alex, Brady, and Reagan Dierks, from Ewing and McCabe Hoefer from Elgin; Carol Morton from Culbertson; Ann

Bruntz from Friend, Rico and Michaela Barandun from Zurich, Switzerland; 75 fourth grade students and teachers from Valley Elementary School; and Chad and Kelsey Trapour from Lincoln.

The Doctor of the Day was Dr. Matt Ferber from Laurel.

ADJOURNMENT

At 11:44 a.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, February 22, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTIETH DAY - FEBRUARY 22, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

THIRTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 22, 2000

PRAYER

The prayer was offered by Father Lloyd Gnirk, St. Pius the Tenth Catholic Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:03 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Kristensen and Lynch who were excused; and Senators Beutler, Bohlke, Coordsen, Dierks, Hartnett, Landis, Raikes, Robak, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

ANNOUNCEMENTS

The Agriculture Committee designates LB 1432 as its priority bill.

The Health and Human Services Committee designates LB 1115 and LB 819 as its priority bills.

Senator Jensen designates LB 972 as his priority bill.

Senator Brown designates LB 1330 as her priority bill.

STANDING COMMITTEE REPORT
Banking, Commerce and Insurance

LEGISLATIVE BILL 1253. Placed on General File as amended.
Standing Committee amendment to LB 1253:
AM2472

1. Strike original section 1 and insert the following new section:

"Section 1. (1) Notwithstanding section 44-3,131, (a) any employer group sickness and accident insurance policy or subscriber contract delivered, issued for delivery, or renewed in this state and any employer group hospital, medical, or surgical expense-incurred policy, except for policies that provide coverage for a specified disease or other limited-benefit coverage, and (b) any self-funded employee benefit plan to the extent not preempted by federal law shall include coverage for the reasonable cost of hospitalization and general anesthesia in order for a covered person to safely receive dental care if he or she is under eight years of age or is developmentally disabled.

(2)(a) This section does not prevent application of deductible or copayment provisions contained in the group policy, contract, or benefit plan or require that coverage under a group policy, contract, or benefit plan be extended to any other procedures, including dental care.

(b) This section does not prevent application of prior authorization requirements or other requirements of a managed care plan as established by the group policy, contract, or benefit plan, including a requirement that coverage under subsection (1) of this section shall be provided only through a contracted network of providers.

(3) For purposes of this section, the reasonable determination that hospitalization and general anesthesia are necessary for safe dental care shall be made by the entity providing coverage under subsection (1) of this section. Medical necessity shall be as defined by the group policy, contract, or benefit plan.

(4) For purposes of this section, hospital and hospitalization includes ambulatory surgery center and care at an ambulatory surgery center.".

(Signed) David M. Landis, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Thompson asked unanimous consent to be excused until she returns. No objections. So ordered.

MOTIONS - Approve Appointments

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 712: Nebraska Transit and Rail Advisory Council - Allan Abbott, Ann Boyle, Duane Eitel, Roger Figard, Dave Gilfillan, Georgia Janssen, Paul Mullen, Michael Ongerth, Tom Wais, and Dennis Wilson.

Senator Chambers requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 712: Nebraska Transit and Rail Advisory Council – Ann Boyle and Georgia Janssen.

Voting in the affirmative, 28:

Aguilar	Bourne	Bromm	Brown	Bruning
Byars	Chambers	Connealy	Cudaback	Dickey
Engel	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Pedersen, Dw.	Pederson, D.
Price	Quandahl	Redfield	Schimek	Smith
Stuhr	Suttle	Wehrbein		

Voting in the negative, 0.

Present and not voting, 9:

Baker	Brashear	Crosby	Matzke	Preister
Schmitt	Schrock	Tyson	Vrtiska	

Excused and not voting, 12:

Beutler	Bohlke	Coordsen	Dierks	Hartnett
Kristensen	Landis	Lynch	Raikes	Robak
Thompson	Wickersham			

The appointments were confirmed with 28 ayes, 0 nays, 9 present and not voting, and 12 excused and not voting.

The second division is as follows:
Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 712: Nebraska Transit and Rail Advisory Council - Allan Abbott, Duane Eitel, Roger Figard, Dave Gilfillan, Paul Mullen, Michael Ongerth, Tom Wais, and Dennis Wilson.

Voting in the affirmative, 33:

Aguilar	Bohlke	Bourne	Brashear	Bromm
Brown	Bruning	Byars	Connealy	Coordsen
Crosby	Cudaback	Dickey	Engel	Hilgert
Janssen	Jensen	Jones	Kiel	Kremer

Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Redfield Schimek Schrock Smith
Stuhr Suttle Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 5:

Baker Hudkins Schmitt Tyson Vrtiska

Excused and not voting, 10:

Beutler Dierks Hartnett Kristensen Landis
Lynch Raikes Robak Thompson Wickersham

The appointments were confirmed with 33 ayes, 1 nay, 5 present and not voting, and 10 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 922A. Title read. Considered.

Senator Cudaback offered the following amendment:
AM2474

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $353,967 from the General Fund for FY2000-01 and (2) $339,967 from the General Fund for FY2001-02 to the Supreme Court, for Program 6, to aid in carrying out the provisions of Legislative Bill 922, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $272,814 for FY2000-01 or $272,814 for FY2001-02.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.".

The Cudaback amendment was adopted with 32 ayes, 0 nays, 7 present and not voting, and 10 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 717. Title read. Considered.

The Standing Committee amendment, AM2003, found on page 675, was adopted with 29 ayes, 1 nay, 14 present and not voting, and 5 excused and not voting.

Senator Preister withdrew his amendment, AM2003, found on page 530.

Advanced to E & R for review with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative appointments:

Council, Brenda – Commission of Industrial Relations – Business and Labor

Davis, Dick – Coordinating Commission for Postsecondary Education – Education

Fischer, Debra – Coordinating Commission for Postsecondary Education – Education

Marvin, James E. – Nebraska Boiler Safety Code Advisory Board – Business and Labor

Massey, Megan – Coordinating Commission for Postsecondary Education – Education

Rodgers, Christopher – Health and Human Services System Partnership Council – Health and Human Services

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

MOTION - Print in Journal

Senator Bourne filed the following motion to LB 510:
Reconsider the Final Reading vote on LB 510.

GENERAL FILE

LEGISLATIVE BILL 994. Title read. Considered.

SENATOR CUDABACK PRESIDING

Senator Chambers offered the following amendment:
FA297
P. 13, lines 27-28, strike new matter; and on page 14, line 16, after "Sections" insert 81-1429.

PRESIDENT MAURSTAD PRESIDING

Senator Brashear offered the following amendment to the Chambers pending amendment:
FA298
Amend FA297
The provisions of this amendment take effect Jan. 1, 2007

Pending.

UNANIMOUS CONSENT - Members Excused

Senators Bohlke and Wickersham asked unanimous consent to be excused until they return. No objections. So ordered.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 717A. Introduced by Preister, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 717, Ninety-sixth Legislature, Second Session, 2000; and to provide for transfers.

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 1095. Placed on General File.

(Signed) Jim Jensen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 957. Title read. Considered.

Senator Dierks renewed his pending amendment, AM2276, found on page 639.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

The Dierks amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 957A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

STANDING COMMITTEE REPORTS
Natural Resources

LEGISLATIVE RESOLUTION 300. Reported to the Legislature for further consideration.

LEGISLATIVE BILL 1350. Indefinitely postponed.
LEGISLATIVE BILL 1356. Indefinitely postponed.
LEGISLATIVE BILL 1394. Indefinitely postponed.

The Natural Resources Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Environmental Trust Board
William Grewcock

VOTE: Aye: Senators Bromm, Bruning, Hudkins, Jones, Kremer, Schrock, and Stuhr. Nay: None. Absent: Senator Preister.

(Signed) Edward J. Schrock, Chairperson

AMENDMENTS - Print in Journal

Senator Hilgert filed the following amendment to LB 175:
AM2271

(Amendments to E & R amendments, AM7181)

1. Strike section 6.
2. On page 4, line 15, strike the new matter and reinstate the stricken matter.
3. On page 5, line 14, strike "five" and insert "three" and after "issuance" insert "and service".
4. On page 6, line 12, strike "76-1446, and 76-1483" and insert "and 76-1446".
5. Renumber the remaining section accordingly.

Senators Brashear and Bruning filed the following amendment to LB 628:
AM2492

(Amendments to Standing Committee amendments, AM2142)

1. Strike the original sections and insert the following new sections:

"Section 1. Section 84-712, Reissue Revised Statutes of Nebraska, is amended to read:

84-712. (1) Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in section 84-712.01, are hereby fully empowered and authorized to (a) examine the same, and to make memoranda, copies using their own copying or photocopying equipment in accordance with subsection (2) of this section, and abstracts therefrom, all free of charge, during the hours the respective offices may be kept open for the ordinary transaction of business and (b) except if federal copyright law otherwise provides, obtain copies of public records in accordance with subsection (3) of this section during the hours the respective offices may be kept open for the ordinary transaction of business.

(2) Copies made by citizens or other persons using their own copying or photocopying equipment pursuant to subdivision (1)(a) of this section shall be made on the premises of the custodian of the public record or at a location mutually agreed to by the requester and the custodian.

(3)(a) Copies may be obtained pursuant to subdivision (1)(b) of this section only if the custodian has copying equipment reasonably available. Such copies may be obtained in any form designated by the requester in which the public record is maintained or produced, including, but not limited to, printouts, electronic data, discs, tapes, and photocopies.

(b) Except as otherwise provided by statute, the custodian of a public record may charge a fee for providing copies of such public record pursuant to subdivision (1)(b) of this section, which fee shall not exceed the actual cost of making the copies available. For purposes of this subdivision, (i) the actual cost of making the copies available shall not include the cost of salaries of public employees, (ii) for printouts of computerized data on paper, the actual cost of making the copies available shall include the reasonably calculated actual cost of computer run time and the cost of materials for making the copy, and (iii) for electronic data, the actual cost of making the copies available shall include the reasonably calculated actual cost of the computer run time, any necessary analysis and programming, and the production of the report in the form furnished to the requester. State agencies which provide electronic access to public records through a gateway service shall obtain approval of their proposed reasonable fees for such records pursuant to sections 84-1205.02 and 84-1205.03, if applicable, and the actual cost of making the copies available may include the approved fee for the gateway service.

(c) This section shall not be construed to require a public body or custodian of a public record to produce or generate any public record in a new or different form or format modified from that of the original public record.

(d) If copies requested in accordance with subdivision (1)(b) of this section are estimated by the custodian of such public records to cost more than fifty dollars, the custodian may require the requester to furnish a deposit prior to fulfilling such request.

(4) Upon receipt of a request for access to or copies of a public record, the custodian of such record shall provide to the requester as soon as is practicable and without delay, but not more than three business days after actual receipt of the request, either (a) access to and, if copying equipment is reasonably available, copies of the public record, (b) if there is a legal basis for denial of access or copies, a written denial of the request together with the information specified in section 84-712.04, or (c) if the entire request cannot with reasonable good faith efforts be fulfilled within three business days after actual receipt of the request due to the significant difficulty or the extensiveness of the request, a written explanation, including the earliest practicable date for fulfilling the request, an estimate of the expected cost of any copies, and an opportunity for the requester to modify or prioritize the request.

Sec. 2. Section 84-712.03, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.03. Any person denied any rights granted by sections 84-712 to 84-712.03 may elect to:

(1) ~~file~~ File for speedy relief by a writ of mandamus in the district court within whose jurisdiction the state, county, or political subdivision officer who has custody of ~~said~~ the public record can be served; or

(2) ~~petition~~ Petition the Attorney General to review the ~~record~~ matter to determine whether ~~it~~ a record may be withheld from public inspection or whether the public body that is custodian of such record has otherwise failed to comply with such sections.

This determination shall be made within fifteen calendar days of the submission of the petition. If the Attorney General determines that the record may not be withheld or that the public body is otherwise not in compliance, the public body shall be ordered to disclose the record immediately or otherwise comply. If the public body continues to withhold the record or remain in noncompliance, the person seeking disclosure or compliance may (a) bring suit in the trial court of general jurisdiction or (b) demand in writing that the Attorney General bring suit in the name of the state in the trial court of general jurisdiction for the same purpose. If such demand is made, the Attorney General shall bring suit within fifteen calendar days of its receipt. The requester shall have an absolute right to intervene as a full party in the suit at any time.

In any suit filed under this section, the court has jurisdiction to enjoin the public body from withholding records, to order the disclosure, and to grant such other equitable relief as may be proper. The court shall determine the matter de novo and the burden is on the public body to sustain its action. The court may view the records in controversy in camera before reaching a decision, and in the discretion of the court other persons, including the requester, counsel, and necessary expert witnesses may be permitted to view the records, subject to necessary protective orders.

Proceedings arising under this section, except as to the cases the court considers of greater importance, shall take precedence on the docket over all other cases and shall be assigned for hearing, trial, or argument at the earliest practicable date and expedited in every way.

Sec. 3. Original sections 84-712 and 84-712.03, Reissue Revised Statutes of Nebraska, are repealed.".

GENERAL FILE

LEGISLATIVE BILL 1135. Title read. Considered.

Senator Hartnett asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment, AM2284, printed separately and referred to on page 572, was considered.

Senator Schimek renewed her pending amendment, AM2395, found on page 673, to the Standing Committee amendment.

The Schimek amendment was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 301 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 301.

ANNOUNCEMENT

Speaker Kristensen designates LBs 26, 341, 349, 352, 572, 604, 825, 931, 956, 969, 1000, 1025, 1116, 1145, 1161, 1208, 1251, 1265, 1279, 1281, 1304, 1346, 1363, 1381, and 1410 as priority bills.

AMENDMENT - Print in Journal

Senator Redfield filed the following amendment to LB 438:
AM2490

(Amendments to Final Reading copy)

1. Strike original section 2 and insert the following

new section:

"Sec. 2. Section 49-1447, Reissue Revised Statutes of Nebraska, is amended to read:

49-1447. (1) The committee treasurer shall keep detailed accounts, records, bills, and receipts necessary to substantiate the information contained in a statement or report filed pursuant to sections 49-1445 to 49-1479 or rules and regulations adopted and promulgated under ~~sections 49-1401 to 49-14,138~~ the Nebraska Political Accountability and Disclosure Act.

(2)(a) For any committee other than a candidate committee, the committee treasurer shall be responsible for filing all statements and reports of the committee required to be filed under the act and shall be personally liable subject to section 3 of this act for any late filing fees, civil penalties, and interest that may be due under the act as a result of a failure to make such filings.

(b) For candidate committees, the candidate shall be responsible for filing all statements and reports required to be filed by his or her candidate committee under the Nebraska Political Accountability and Disclosure Act or the Campaign Finance Limitation Act. The candidate shall be personally liable for any late filing fees, civil penalties, and interest that may be due under either act as a result of a failure to make such filings and may use funds of the candidate committee to pay such fees, penalties, and interest.

(3) The committee treasurer shall record the name and address of each person from whom a contribution is received except for contributions of fifty dollars or less received pursuant to subsection (2) of section 49-1472.

(4) The records of a committee shall be preserved for five years and shall be made available for inspection as authorized by the commission.

(5) Any person violating the provisions of this section shall be guilty of a Class III misdemeanor.".

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1018. Placed on Select File as amended.
(E & R amendment, AM7201, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1436. Placed on Select File as amended.
E & R amendment to LB 1436:
AM7202

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. (1) The Teen Tobacco Education and

Prevention Project is created. The purpose of the project is to aid in the prevention, reduction, and cessation of teen smoking by encouraging creative and innovative proposals to educate Nebraska residents about smoking and tobacco use. The project shall fund educational proposals developed and designed by high school students, provide money for scholarships for the students who develop and design such project proposals, and provide award money to project proposal sponsors.

(2) The Teen Tobacco Education and Prevention Project Committee is created. The committee shall develop criteria for project proposals and shall select winning project proposals pursuant to subsection (4) of this section and the rules and regulations adopted and promulgated under this section. The committee shall consist of:

(a) A high school marketing teacher or advisor;
(b) A high school journalism teacher or advisor;
(c) A health teacher from a public school;
(d) One student from each category of school listed in subsection (4) of this section;
(e) A physician who is knowledgeable of the health risks associated with smoking and tobacco use;
(f) An advertising expert;
(g) A broadcast journalist;
(h) An anti-tobacco activist;
(i) A public health representative; and
(j) A member of the business community.

The Commissioner of Education shall appoint the members representing subdivisions (a) through (d) of this subsection and the Governor shall appoint the remaining members. Any vacancy on the committee shall be filled in the same manner as the initial appointment. The State Department of Education shall provide staff support for the committee. Committee members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(3) On or before December 31 of each year, high school students who reside or attend school in Nebraska may submit project proposals to the committee. Each project proposal may be designed and developed by no more than four high school students. Project proposals may include programs, advertisement campaigns, small group projects, conferences, seminars, billboards, pamphlets, productions, television advertisements, radio advertisements, promotional ideas, or any other innovative concept the purpose of which is to help reduce, prevent, or stop teen smoking. The project proposals shall be designed to be implemented statewide or in the school, community, or geographic area where the student resides or attends school. The budget for each project proposal shall be no more than one hundred thousand dollars.

(4) By March 1 of each year, the committee shall select four winning project proposals. There shall be one winning project

proposal from (a) a school with a membership of less than one hundred twenty-five students in grades nine through twelve, (b) a school with a membership of less than three hundred twenty but at least one hundred twenty-five students in grades nine through twelve, (c) a school with a membership of less than one thousand fifty but at least three hundred twenty students in grades nine through twelve, and (d) a school with a membership of one thousand fifty or more students in grades nine through twelve. The designers of the winning project proposals shall each be awarded a five-thousand-dollar scholarship and will oversee the implementation of their project proposal statewide or in their school, community, or geographic area. In addition, each school, organization, club, or other entity which sponsored a winning project proposal shall be awarded five thousand dollars. The department shall oversee and administer the sponsorship awards provided in this section.

(5) The department shall adopt and promulgate rules and regulations as necessary to carry out the duties set forth in this section.

(6) The Coordinating Commission for Postsecondary Education shall oversee and administer the scholarships provided in this section. Scholarships may only be used by an eligible student for educational expenses at an eligible institution as defined under the Scholarship Assistance Program Act. Any scholarship money which is not used after the student earns his or her first baccalaureate degree, certificate, diploma, or equivalent or after the student reaches age twenty-five, whichever occurs first, shall be transferred to the Excellence in Health Care Trust Fund. The commission shall adopt and promulgate rules and regulations as necessary to carry out the duties set forth in this subsection.

(7) The department shall conduct a review of the project before December 31, 2003, and submit a report to the Governor and Legislature with its recommendations.

Sec. 2. The Teen Tobacco Education and Prevention Project Fund is created. The fund shall include investment income on the revenue transferred from the Nebraska Tobacco Settlement Trust Fund. The Teen Tobacco Education and Prevention Project Fund shall be used by the Teen Tobacco Education and Prevention Project Committee for the purposes of section 1 of this act. Any money in the Teen Tobacco Education and Prevention Project Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 3. Section 71-7608, Revised Statutes Supplement, 1999, is amended to read:

71-7608. The Nebraska Tobacco Settlement Trust Fund is created. The fund shall include revenue received from a settlement or judgment awarded to the State of Nebraska as a result of tobacco-related litigation for compensation for the costs of treating smoking-related illnesses. The Department of Health and Human Services Finance and Support shall remit such revenue to the State Treasurer for credit to the fund. Subject to the terms and conditions of the settlement or judgment, the investment income on the revenue shall be transferred as follows: (1) The first five hundred thousand dollars shall be transferred to the Teen Tobacco Education and Prevention Project Fund each year to be used for scholarships and awards as provided in section 1 of this act and (2) the remaining investment income shall be transferred to the Excellence in Health Care Trust Fund to be used for grants or loan guarantees as provided in section 71-7614. Any money in the Nebraska Tobacco Settlement Trust Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 4. Section 71-7611, Revised Statutes Supplement, 1998, is amended to read:

71-7611. The Excellence in Health Care Trust Fund is created. The fund shall include revenue transferred from the Teen Tobacco Education and Prevention Project Fund, the Nebraska Health Care Trust Fund, and the Nebraska Tobacco Settlement Trust Fund. The Excellence in Health Care Trust Fund shall be used for grants or loan guarantees as provided in section 71-7614 after deducting any expenses incurred in the administration of the grants or loan guarantees. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 5. Original section 71-7611, Revised Statutes Supplement, 1998, and section 71-7608, Revised Statutes Supplement, 1999, are repealed.".

LEGISLATIVE BILL 1190. Placed on Select File as amended.
E & R amendment to LB 1190:
AM7203

1. On page 1, line 1, strike "society" and insert "societies"; and strike line 3 and insert "provide for the acquisition of certain real property; to change provisions relating to an".

LEGISLATIVE BILL 922A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

ADJOURNMENT

At 12:03 p.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Wednesday, February 23, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

THIRTY-FIRST DAY - FEBRUARY 23, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 23, 2000

PRAYER

The prayer was offered by Abaid Rahman, Rosebud, South Dakota.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senator Hartnett who was excused; and Senators Beutler, Bromm, Dierks, Hilgert, Kiel, Landis, Matzke, D. Pederson, Price, Tyson, Wehrbein, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirtieth day was approved.

MESSAGE FROM THE GOVERNOR

February 22, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 204, 419, 504, 626, 654e, 654Ae, and 701 were received in my office on February 17, 2000.

These bills were signed by me on February 22, 2000, and delivered to the Secretary of State.

Sincerely,

(Signed) Mike Johanns
Governor

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 302 and 303 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 302 and 303.

MOTIONS - Approve Appointments

Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointment found on page 745: Nebraska Liquor Control Commission - Rhonda Flower.

Voting in the affirmative, 29:

Aguilar Baker Bohlke Bourne Brown
Bruning Byars Chambers Crosby Cudaback
Dickey Engel Hudkins Janssen Jensen
Jones Kremer Kristensen Lynch Pedersen, Dw.
Quandahl Redfield Schimek Schmitt Smith
Stuhr Suttle Thompson Vrtiska

Voting in the negative, 0.

Present and not voting, 8:

Beutler Brashear Connealy Coordsen Preister
Raikes Robak Schrock

Excused and not voting, 12:

Bromm Dierks Hartnett Hilgert Kiel
Landis Matzke Pederson, D. Price Tyson
Wehrbein Wickersham

The appointment was confirmed with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.

Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointments found on page 745: Nebraska Arts Council - Fred Teller and Robert Wolfe.

Voting in the affirmative, 31:

Aguilar Baker Bohlke Bourne Brashear
Brown Bruning Byars Connealy Coordsen
Crosby Cudaback Dickey Engel Hudkins
Janssen Jensen Jones Kremer Kristensen
Lynch Pederson, D. Price Quandahl Raikes
Redfield Schmitt Smith Stuhr Suttle
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 9:

Beutler Pedersen, Dw. Preister Robak Schimek
Schrock Thompson Tyson Vrtiska

Excused and not voting, 8:

Bromm Dierks Hartnett Hilgert Kiel
Landis Matzke Wickersham

The appointments were confirmed with 31 ayes, 1 nay, 9 present and not voting, and 8 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 994. The Brashear pending amendment, FA298, found on page 756, to the Chambers pending amendment, FA297, found on page 755, was renewed.

The Brashear amendment was adopted with 25 ayes, 3 nays, 14 present and not voting, and 7 excused and not voting.

Senator Quandahl asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers pending amendment, FA297, found on page 755, was renewed.

The Chambers amendment, as amended, was adopted with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

Advanced to E & R for review with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 1194. Placed on General File.

LEGISLATIVE BILL 1025. Placed on General File as amended.
Standing Committee amendment to LB 1025:
AM2321

1. On page 2, line 28; page 3, line 1; and page 5, line 4, strike "one hundred" and insert "fifty".
2. On page 11, line 8, after the last comma insert "an advanced registered nurse practitioner,".
3. On page 14, line 22, strike "four" and insert "three"; and in line 23 after the comma insert "one of whom shall be a licensed practical nurse,".

LEGISLATIVE BILL 1033. Placed on General File as amended.
Standing Committee amendment to LB 1033:
AM2394

1. On page 2, lines 17 and 18, strike the new matter.

The Health and Human Services Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Health and Human Services System Partnership Council
Ella Ochoa
Kathy Moore

Policy Secretary, Health and Human Services System
Chris Peterson

Board of Health
Linda Lazure

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Price, and Dickey. Nay: None. Absent: Senator Tyson.

(Signed) Jim Jensen, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 304. Introduced by Jones, 43.

WHEREAS, the Myrtle Hall Estate has conveyed to the Nebraska Game and Parks Foundation property located in Loup and Custer Counties, Nebraska, which will be maintained as a wildlife management area for public outdoor recreation activities; and

WHEREAS, the Game and Parks Commission has the general authority to acquire real estate with the consent of the Governor by gift; and

WHEREAS, in the interest of promoting outdoor opportunities for Nebraskans, the Legislature wishes to grant approval for the Game and Parks Commission to obtain title to all or any part of such land presently held in trust by the Nebraska Game and Parks Foundation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature approves the gift from the Nebraska Game and Parks Foundation to the Game and Parks Commission of all of the real estate described as:

The Southwest Quarter (SW1/4) of Section 33; the Southeast Quarter (SE1/4), the West Half of the Northeast Quarter (W1/2 NE1/4); the East Half of the Northwest Quarter (E1/2NW1/4) and the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) of Section 32; the East Half of the Southwest Quarter (E1/2SW1/4) and the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section 29; all in Township 21 North, Range 19 West of the 6th Principal Meridian, Loup County, Nebraska;

The East Half (E1/2), Southwest Quarter (SW1/4), and the South Half of the Northwest Quarter (S1/2NW1/4) of Section 34; the East Half of the Southeast Quarter (E1/2SE1/4) and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4) of Section 33; all in Township 21 North, Range 20 West of the 6th Principal Meridian, Loup County, Nebraska; and

The East Half (E1/2) of Section 6; the Northwest Quarter (NW1/4), North Half of the Southwest Quarter (N1/2SW1/4), and Southeast Quarter of the Southwest Quarter (SE1/4NW1/4) of Section 5; and the Northeast Quarter of the Northwest Quarter (NE1/4NW1/4) of Section 8; all in Township 20 North, Range 19 West of the 6th Principal Meridian, Custer County, Nebraska.

The conveyance in this section describes real estate located in Custer and Loup Counties, for a total of 1,960 acres, more or less.

2. That such approval is granted with the understanding that the land described shall be designated and utilized as a wildlife management area.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 304 was referred to the Reference Committee.

GENERAL FILE

LEGISLATIVE BILL 1243. Title read. Considered.

SENATOR SCHIMEK PRESIDING

The Standing Committee amendment, AM2446, found on page 715, was considered.

Senator Bohlke offered the following amendment to the Standing Committee amendment:
AM2507

(Amendments to Standing Committee amendments, AM2446)

1. Strike amendments 1 and 3.

2. On page 4, strike beginning with the semicolon in line 10 through the second quotation mark in line 11.

3. Renumber the remaining amendment accordingly.

The Bohlke amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

AMENDMENTS - Print in Journal

Senator Wickersham filed the following amendment to LB 1138:
AM2506

1. On page 15, line 8, strike "number of individuals in poverty" and insert "population of the county"; in line 13 after the period insert paragraphing and "(6)" and after "poverty" insert "and county population"; and in line 16 after "Commerce" insert "prior to January 15 immediately preceding the fiscal year in which the aid is to be distributed".

2. In the Standing Committee amendments, AM2464, on page 4, line 16, after "regulations" insert "necessary".

Senator Kristensen filed the following amendment to LB 692:
(Amendment, AM2285, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Landis filed the following amendment to LB 1436:
AM2500

(Amendments to E & R amendments, AM7202)

1. Insert the following new section:

"Sec. 5. This legislative bill is a complete act and its provisions inseverable. If any provision of this legislative bill is declared to violate the Master Settlement Agreement as defined in section 69-2701, the entire legislative bill is invalid.".

2. On page 1, line 16, after the period insert "In developing the criteria, the committee shall not restrict the content developed by the project proposals or in any way censor the creative and innovative approach taken by the project proposals.".

3. On page 3, line 20, after the period insert "In promulgating the rules and regulations, the department shall not

restrict the content developed by the project proposals or in any way censor the creative and innovative approach taken by the project proposals.".

4. Renumber the remaining section accordingly.

Senator Kremer filed the following amendment to LB 1018:
AM2488

(Amendments to E & R amendments, AM7201)

1. Insert the following new sections:

"Sec. 4. Section 60-1406, Revised Statutes Supplement, 1999, is amended to read:

60-1406. Licenses issued by the board under Chapter 60, article 14, shall be of the classes set out in this section and shall permit the business activities described in this section:

(1) Motor vehicle dealer's license. This license permits the licensee to engage in the business of selling or exchanging new, used, or new and used motor vehicles, ~~and~~ trailers, and manufactured homes at the established place of business designated in the license and another place or places of business located within three hundred feet of the designated place of business and within the city or county described in the original license. This license permits the sale of a trade-in or consignment mobile home greater than forty feet in length and eight feet in width and located at a place other than the dealer's established place of business. This license permits one person, either the licensee, if he or she is the individual owner of the licensed business, or a stockholder, officer, partner, or member of the licensee, to act as a motor vehicle, ~~and~~ trailer, and manufactured home salesperson and the name of the authorized person shall appear on the license;

(2) Motor vehicle, motorcycle, or trailer salesperson license. This license permits the licensee to engage in the activities of a motor vehicle, motorcycle, or trailer salesperson. This license permits the one person named on the license to act as a salesperson;

(3) Manufacturer license. This license permits the licensee to engage in the activities of a motor vehicle, motorcycle, or trailer manufacturer or manufacturer's factory branch;

(4) Distributor license. This license permits the licensee to engage in the activities of a motor vehicle, motorcycle, or trailer distributor;

(5) Factory representative license. This license permits the licensee to engage in the activities of a factory branch representative;

(6) Factory branch license. This license permits the licensee to maintain a branch office in this state;

(7) Distributor representative license. This license permits the licensee to engage in the activities of a distributor representative;

(8) Finance company license. This license permits the licensee to engage in the activities of repossession of motor vehicles or trailers and the sale of such motor vehicles or trailers so repossessed;

(9) Wrecker or salvage dealer license. This license permits the licensee to engage in the business of acquiring motor vehicles or trailers for the purpose of dismantling the motor vehicles or trailers and selling or otherwise disposing of the parts and accessories of motor vehicles or trailers;

(10) Supplemental motor vehicle, motorcycle, or trailer dealer's license. This license permits the licensee to engage in the business of selling or exchanging motor vehicles, motorcycles, or trailers of the type designated in his or her dealer's license at a specified place of business which is located more than three hundred feet from any part of the place of business designated in the original motor vehicle, motorcycle, or trailer dealer's license but which is located within the city or county described in such original license;

(11) Motorcycle dealer's license. This license permits the licensee to engage in the business of selling or exchanging new, used, or new and used motorcycles at the established place of business designated in the license and another place or places of business located within three hundred feet of the designated place of business and within the city or county described in the original license. This form of license permits one person named on the license, either the licensee, if he or she is the individual owner of the licensed business, or a stockholder, officer, partner, or member of the licensee, to act as a motorcycle salesperson and the name of the authorized person shall appear on the license;

(12) Motor vehicle auction dealer's license. This license permits the licensee to engage in the business of selling motor vehicles and trailers. This form of license permits one person named on the license, either the licensee, if he or she is the individual owner of the licensed business, or a stockholder, officer, partner, or member of the licensee, to act as a motor vehicle auction dealer's salesperson and the name of the authorized person shall appear on the license; and

(13) Trailer dealer's license. This license permits the licensee to engage in the business of selling or exchanging new, used, or new and used trailers and manufactured homes at the established place of business designated in the license and another place or places of business located within three hundred feet of the designated place of business and within the city or county described in the original license. This form of license permits one person named on the license, either the licensee, if he or she is the individual owner of the licensed business, or a stockholder, officer, partner, or member of the licensee, to act as a trailer and manufactured home salesperson and the name of the authorized person shall appear on the license.

Sec. 5. Section 60-1407.03, Reissue Revised Statutes of Nebraska, is amended to read:

60-1407.03. Notwithstanding the other provisions of Chapter 60, article 14, restricting sales to an established place of business, any ~~licensed~~ motor vehicle, motorcycle, or trailer dealer licensed in accordance with Chapter 60, article 14, may be granted a special permit to display and sell passenger cars, motor vehicles, motorcycles, trailers, or self-propelled motor homes at fairs, sports shows, vacation shows, and similar events, subject to the conditions established by sections 60-1407.02 to ~~60-1407.05~~ 60-1407.04.

Sec. 10. The following section is outright repealed: Section 60-1407.05, Reissue Revised Statutes of Nebraska.".

2. On page 2, line 1, after "vehicles" insert an underscored comma, strike "and" and show as stricken, and after "trailers" insert ", and manufactured homes"; and in line 10 after "trailers" insert "and manufactured homes".

3. On page 10, line 12, strike "and" and show as stricken; and in line 15 after "60-1440" insert "; and

(35) Manufactured home means a structure, transportable in one or more sections, which in the traveling mode is eight body feet or more in width or forty body feet or more in length or when erected on site is three hundred twenty or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure, except that manufactured home includes any structure that meets all of the requirements of this subdivision other than the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, as amended, 42 U.S.C. 5401 et seq. Manufactured home also includes any manufactured home designed and manufactured with more than one separate living unit for the purpose of multifamily living".

4. On page 17, line 7, after the last comma insert "60-1407.03,"; and in line 8 after the last comma insert "and section 60-1406, Revised Statutes Supplement, 1999,".

5. Renumber the remaining sections accordingly.

Senator Landis filed the following amendment to LB 929:
(Amendment, AM2477, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

STANDING COMMITTEE REPORTS

Business and Labor

LEGISLATIVE BILL 1384. Placed on General File.

LEGISLATIVE BILL 1449. Indefinitely postponed.

(Signed) Floyd P. Vrtiska, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 349. Placed on General File.
LEGISLATIVE BILL 1145. Placed on General File.
LEGISLATIVE BILL 1179. Placed on General File.
LEGISLATIVE BILL 1308. Placed on General File.

LEGISLATIVE RESOLUTION 287CA. Placed on General File.

LEGISLATIVE BILL 455. Indefinitely postponed.
LEGISLATIVE BILL 579. Indefinitely postponed.
LEGISLATIVE BILL 937. Indefinitely postponed.
LEGISLATIVE BILL 1083. Indefinitely postponed.
LEGISLATIVE BILL 1158. Indefinitely postponed.
LEGISLATIVE BILL 1191. Indefinitely postponed.
LEGISLATIVE BILL 1415. Indefinitely postponed.

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

State Personnel Board
Samuel F. Seever

VOTE: Aye: Senators Aguilar, Cudaback, Janssen, Quandahl, Schimek, Schmitt, Smith, and Vrtiska. Nay: None. Absent: None.

(Signed) DiAnna R. Schimek, Chairperson

MOTION - Reconsider Action on LB 510

Senator Bourne renewed his pending motion, found on page 755, to reconsider the Final Reading vote on LB 510.

SPEAKER KRISTENSEN PRESIDING

The Bourne motion to reconsider prevailed with 33 ayes, 15 nays, and 1 excused and not voting.

BILL ON FINAL READING

The following bill was put upon final passage:

LEGISLATIVE BILL 510.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Beutler
Bohlke
Bourne
Brashear
Bromm
Chambers
Connealy
Cudaback
Dierks
Engel
Hilgert
Janssen
Kiel
Kristensen
Landis
Lynch
Pedersen, Dw.
Pederson, D.
Preister
Price
Raikes
Robak
Schmitt
Schrock
Suttle
Thompson
Wehrbein
Wickersham

Voting in the negative, 19:

Aguilar
Baker
Bruning
Byars
Coordsen
Crosby
Dickey
Hudkins
Jensen
Jones
Kremer
Matzke
Quandahl
Redfield
Schimek
Smith
Stuhr
Tyson
Vrtiska

Present and not voting, 1:

Brown

Excused and not voting, 1:

Hartnett

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB 510.

GENERAL FILE

LEGISLATIVE BILL 557. Title read. Considered.

The Standing Committee amendment, AM0855, found on page 1064, First Session, 1999, was considered.

Senator Wickersham renewed his pending amendment, AM2391, found on page 648, to the Standing Committee amendment.

Senators Thompson and Brashear asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Crosby asked unanimous consent to be excused. No objections. So ordered.

The Wickersham amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 28 ayes, 2 nays, 15 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 715. Title read. Considered.

The Standing Committee amendment, AM0834, printed separately and referred to on page 1028, First Session, 1999, was considered.

Senator Raikes renewed his pending amendment, AM2404, printed separately and referred to on page 674, to the Standing Committee amendment.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 23, 2000, at 11:10 a.m., was the following: LB 510.

(Signed) Diana Bridges
Clerk of the Legislature's Office

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1436A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1436, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1243A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 1243, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 26A. Introduced by Lynch, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 26, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1209A. Introduced by Landis, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1209, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1077A. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, sections 255 and 256; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1077, Ninety-sixth Legislature, Second Session, 2000; to change appropriations; to provide for a transfer; and to repeal the original sections.

STANDING COMMITTEE REPORT
Business and Labor

LEGISLATIVE BILL 1448. Placed on General File as amended.
Standing Committee amendment to LB 1448:
AM2511

1. On page 2, after line 20, insert "Claim No. 99-389, against the Department of Motor Vehicles, pay to Keith County Attorney, P.O. Box 29, Ogallala, NE 69153, out of the General Fund. 500.00".

2. On page 3, line 18, strike "270,136.77" and insert "274,636.77"; and in line 20 strike "293,336.77" and insert "297,836.77".

(Signed) Floyd P. Vrtiska, Chairperson

AMENDMENT - Print in Journal

Senators Robak and Janssen filed the following amendment to LB 659:
AM2496

1. Insert the following new sections:

"Sec. 27. Section 9-607, Reissue Revised Statutes of Nebraska, is amended to read:

9-607. (1) Lottery shall mean a gambling scheme in which:

(a) The players pay or agree to pay something of value for an opportunity to win;

(b) Winning opportunities are ~~represented by~~ determined on the basis of chance and shall be represented by paper or magnetically recorded tickets;

(c) Winners are solely determined by one of the following two methods:

(i) By a random drawing of tickets differentiated by sequential enumeration from a receptacle by hand whereby each ticket has an equal chance of being chosen in the drawing; or

(ii) By use of a game known as keno in which a player selects up to twenty numbers from a total of eighty numbers on a paper or magnetically recorded ticket and a computer, other electronic selection device, or electrically operated blower machine which is not player-activated randomly selects up to twenty numbers from the same pool of eighty numbers and the winning players are determined by the correct matching of the numbers on the ~~paper~~ ticket selected by the players with the numbers randomly selected by the computer, other electronic selection device, or electrically operated blower machine, except that no keno game shall permit or require player access or activation of lottery equipment. If ~~and~~ the random selection of numbers ~~by the computer, other electronic selection device, or~~ is by an electrically operated blower machine, the selection shall not occur within five minutes of the completion of the previous selection of random numbers. If the random selection of numbers occurs more often than once every five minutes, the maximum allowable wager per player per game shall be one dollar. Winnings in a keno game shall only be paid by a person licensed to perform work directly related to the conduct of a lottery. No device used in a keno game may pay winning tickets by dispensing coins, currency, tokens, or credits good for future play directly to the player. The lottery equipment shall record all tickets, paid tickets, and game results magnetically or on paper. A player shall be provided with evidence of participation in the keno game in the form of either a paper ticket or some tangible medium identifying the holder's magnetically recorded ticket activity. No device used in a keno game shall have a top or candle light located on it, have a handle located on its side which may or may not be pulled, or display at any time spinning reels; and

(d) The holders of the winning ~~paper~~ tickets are to receive cash or prizes redeemable for cash. Selection of a winner or winners shall be predicated solely on chance.

(2) Lottery shall not include:

(a) Any gambling scheme which uses any mechanical gaming device, computer gaming device, electronic gaming device, or video gaming device which has the capability of awarding something of value, free games redeemable for something of value, or tickets or stubs redeemable for something of value;

(b) Any activity authorized or regulated under the

Nebraska Bingo Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, the State Lottery Act, section 9-701, or Chapter 2, article 12; or

(c) Any activity prohibited under Chapter 28, article 11.

(3) Notwithstanding the requirement in subdivision (1)(c)(ii) of this section that a player select up to twenty numbers, a player may select more than twenty numbers on a ~~paper~~ ticket when a top or bottom, left or right, edge, or way ticket is played or a player may select a quick-pick ticket. For a top or bottom ticket, the player shall select all numbers from one through forty or all numbers from forty-one through eighty. For a left or right ticket, the player shall select all numbers ending in one through five or all numbers ending in six through zero. For an edge ticket, the player shall select all of the numbers comprising the outside edge of the ticket. For a way ticket, the player shall select a combination of groups of numbers in multiple ways on a single ticket.

(4) A county, city, or village conducting a keno lottery shall designate ~~the method~~ one or more methods of winning number selection to be used in the lottery and submit such designation in writing to the department prior to conducting a keno lottery. Only those methods of winning number selection described in subdivision (1)(c)(ii) of this section shall be permitted, and the method of winning number selection initially utilized may only be changed once during that business day as set forth in the designation. A county, city, or village shall not change the method or methods of winning number selection filed with the department or allow it to be changed once such initial designation has been made unless (a) otherwise authorized in writing by the department based upon a written request from the county, city, or village or (b) an emergency arises in which case a ball draw method of number selection would be switched to a number selection by a random number generator. An emergency situation shall be reported by the county, city, or village to the department within twenty-four hours of its occurrence.

Sec. 28. Section 9-613, Reissue Revised Statutes of Nebraska, is amended to read:

9-613. Lottery equipment shall mean all proprietary devices~~,~~ and machines~~,~~ which store the ticket activity or determine the actual winners and parts used in the manufacture or maintenance of equipment which is used in and is an integral part of the conduct of any lottery activity authorized or regulated under the Nebraska County and City Lottery Act.

Sec. 29. Section 9-651, Reissue Revised Statutes of Nebraska, is amended to read:

9-651. ~~Each~~ In the case of a paper ticket, each county, city, or village conducting a lottery shall have its name clearly printed on each ticket used in the lottery. No such ticket shall be sold unless the name is printed thereon. In the case of a magnetically recorded ticket, the name of the county, city, or village shall be clearly displayed to the player.".

2. On page 36, line 13, strike "and"; and in line 14 after "9-351," insert "9-607, 9-613, and 9-651,".

3. Renumber the remaining section accordingly.

VISITORS

Visitors to the Chamber were Norm Janssen from Seward; Michelle Hupp from Albion; 14 students from Raymond Central; 23 fourth and fifth grade students and sponsors from Zion Lutheran Schools, Kearney; 60 ninth grade students and teachers from East High School, Lincoln; 30 seniors and teacher from East High School, Lincoln; and 9 Student Council members from Oxford.

The Doctor of the Day was Dr. Brad Hupp from Albion.

ADJOURNMENT

At 12:00 p.m., on a motion by Senator Coordsen, the Legislature adjourned until 9:00 a.m., Thursday, February 24, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

THIRTY-SECOND DAY - FEBRUARY 24, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, February 24, 2000

PRAYER

The prayer was offered by Father Tom Ryan, St. Mary's Cathedral Catholic Church, Grand Island, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Engel and Hilgert who were excused; and Senators Bohlke, Brashear, Dierks, Hartnett, Jensen, Kiel, Kristensen, Landis, D. Pederson, Robak, Schimek, Schmitt, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 717. Placed on Select File as amended.
E & R amendment to LB 717:
AM7204

1. In the Standing Committee amendments, AM2003, on page 3, line 8, strike "a local" and insert "an"; and in line 11 strike "local".

2. On page 1, strike beginning with "81-15,207" in line 3 through "costs" in line 7 and insert "and 81-15,214, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the source and use of certain funds; to provide powers and duties; to state intent; to provide a termination date".

LEGISLATIVE BILL 957. Placed on Select File as amended.
E & R amendment to LB 957:
AM7205

1. On page 1, line 2, strike "and"; and in line 3 after "fund" insert "; and to declare an emergency".

2. On page 2, line 14; and page 3, line 19, after the second "the" insert "Nebraska".

3. On page 2, lines 26 and 27, strike the comma.

LEGISLATIVE BILL 957A. Placed on Select File.

LEGISLATIVE BILL 1135. Placed on Select File as amended.
(E & R amendment, AM7206, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1078. Placed on General File as amended.
Standing Committee amendment to LB 1078:
AM2482

1. Strike original section 1 and insert the following new sections:

"Section 1. Section 44-6829, Reissue Revised Statutes of Nebraska, is amended to read:

44-6829. (1) A health carrier which provides a covered benefit for emergency services is, subject to the terms and conditions of the health benefit plan, responsible for charges for medically necessary emergency services provided to a covered person, including services furnished outside the network and services deemed approved under subsection (2) of this section.

(2) If a treating physician or other emergency department personnel who have provided emergency services to a covered person determine that additional medically necessary services are promptly needed by the covered person and they have requested health carrier approval for such services, the health carrier is deemed to have approved the request if the treating physician or other emergency department personnel involved:

(a) Has made a reasonable effort to contact the individual at the health carrier authorized to approve such requests and the health carrier has not provided access to that individual; or

(b) Has requested authorization from the individual at the health carrier authorized to approve such requests and the individual has not denied authorization within thirty minutes after the time the request was made, unless the health carrier can document that it had made a good faith effort but was unable to reach the emergency physician within thirty minutes after receiving a request for authorization.

A request which is deemed approved under this subsection shall be treated as approval for any medically necessary covered benefits that are required to treat the medical condition identified by the treating physician or other emergency department personnel.

(3) A health carrier may impose a reasonable copayment for emergency services to deter inappropriate use of services of hospital emergency departments if the copayment is the same without regard to whether the health care provider has a contractual or other arrangement with the health carrier.

(4) A health carrier shall not require a covered person to obtain prior authorization before accessing the 911 system for emergency services.

Sec. 2. Original section 44-6829, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 1416. Placed on General File as amended.
Standing Committee amendment to LB 1416:
AM2509

1. On page 2, line 12, after the last comma insert "state colleges,".

(Signed) David M. Landis, Chairperson

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Transit and Rail Advisory Council
Roberto Munguia

VOTE: Aye: Senators Jones, Baker, Robak, Dw. Pedersen, Byars, Hudkins, Thompson, and Bromm. Nay: None. Absent: None.

(Signed) Curt Bromm, Chairperson

AMENDMENT - Print in Journal

Senator Suttle filed the following amendment to LB 1004:
AM2513

(Amendments to E & R amendments, AM7197)

1. On page 9, line 8, strike "in lieu of or" and show as stricken.

RESOLUTION

LEGISLATIVE RESOLUTION 305. Introduced by Janssen, 15.

WHEREAS, the Logan View High School wrestling team won the Class C State Wrestling Championship on February 19, 2000; and

WHEREAS, this state championship is the first Logan View High School team state wrestling championship in school history; and

WHEREAS, Logan View High School had a total of 101.5 points and the closest competitor had 83 points; and

WHEREAS, two members of the Logan View team, Eric Brand and Jerame Davis, won individual state championship titles; and

WHEREAS, two members of the Logan View team, Colt Johnson and Josh Petersen, took third place in their weight divisions to help their team win the championship; and

WHEREAS, all members of the wrestling team and their coaches showed great determination, skill, perseverance, cooperation, and sportsmanship throughout their championship season.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Logan View High School wrestling team and their coaches, families, and supporters on the team's successful 2000 season leading to their first team state wrestling championship in school history.
2. That a copy of this resolution be sent to Logan View High School on behalf of their wrestling team and their coaches.

Laid over.

MOTION - Approve Appointment

Senator Schrock moved the adoption of the report of the Natural Resources Committee for the following appointment found on page 757: Nebraska Environmental Trust Board - William Grewcock.

Voting in the affirmative, 30:

Aguilar
Baker
Bohlke
Bourne
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Hudkins
Janssen
Jones
Kremer
Matzke
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 5:

Beutler Bromm Lynch Preister Schmitt

Excused and not voting, 13:

Brashear Dierks Engel Hartnett Hilgert
Jensen Kiel Kristensen Landis Pederson, D.
Robak Schimek Wickersham

The appointment was confirmed with 30 ayes, 1 nay, 5 present and not voting, and 13 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 717A. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 692. E & R amendment, AM7182, found on page 555, was adopted.

Senator Vrtiska renewed his pending amendment, AM2316, found on page 602.

The Vrtiska amendment was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Senator Kristensen withdrew his amendment, AM2285, printed separately and referred to on page 770.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 74. E & R amendment, AM7188, found on page 613, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE RESOLUTION 20CA. E & R amendment, AM7189, found on page 613, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 900. E & R amendment, AM7192, found on page 655, was adopted.

Senator Schrock offered the following amendment:
AM2541

1. Strike original section 223 and insert the following new section:

"Sec. 224. Section 46-692, Reissue Revised Statutes of Nebraska, is amended to read:

46-692. (1) For purposes of this section:

(a) Measuring device means any accurate method used to measure total volume of water pumped or diverted annually; and

(b) Well means a water well to be used for other than domestic purposes which is capable of pumping more than fifty gallons per minute and which is located in the alluvial aquifer of the Republican River Basin as determined and delineated on a map provided by the Department of ~~Water~~ Natural Resources.

(2) It is the intent of the Legislature to appropriate five hundred thousand dollars each year for FY1998-99, FY1999-00, and FY2000-01 for a cost-share program to install measuring devices on wells in the alluvial aquifer of the Republican River Basin and on surface water diversion works from the Republican River and its tributaries. The money shall be appropriated to a separate account within the Nebraska Soil and Water Conservation Fund for cost sharing on the purchase and installation of measuring devices ~~on eligible wells~~ if every natural resources district covering any portion of the alluvial aquifer of the Republican River Basin has established by October 1, 1998, a program requiring the installation of measuring devices on a minimum of ninety percent of active eligible wells by ~~April~~ June 1, 2001, and adopts and promulgates rules and regulations within a reasonable time governing the program.

(3) To be eligible for cost-share assistance under this section, a surface water diversion works must have a valid surface water appropriation and a well must meet the definition of a well in subsection (1) of this section and the measuring device shall be purchased, installed, and operational by ~~April~~ June 1, 2001. If eligible for cost sharing under this section, fifty percent of the cost of purchase and installation of the measuring device, up to a maximum state share of six hundred dollars per well or diversion works, may be provided through the cost-share program.

(4) Any owner or operator of a well upon which cost-share funds are expended under this section shall be responsible for reporting water use to the natural resources district in which the well is located in a manner prescribed by the natural resources district. Any owner or operator of a surface water diversion works upon which cost-share funds are expended under this section shall be responsible for reporting water use to the Department of Natural Resources in a manner prescribed by the department.

(5) If the requirements of subsections (2) and (3) of this section have not been met by ~~April~~ June 1, 2001, the natural resources district shall remit to the state an amount equal to the cost-share assistance provided to the natural resources district under such subsections. Any owner or operator of a well upon which

cost-share funds are expended shall not be responsible for any repayment requirements under this section.".

The Schrock amendment was adopted with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 900A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1258. E & R amendment, AM7191, found on page 656, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 659. E & R amendment, AM7190, printed separately and referred to on page 656, was adopted.

Senators Robak and Janssen renewed their pending amendment, AM2496, found on page 777.

Senator Jensen moved to bracket LB 659 until March 13, 2000.

Senator Jensen withdrew his motion to bracket.

Senator Robak moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

Senator Robak requested a roll call vote on the Robak-Janssen amendment.

Voting in the affirmative, 16:

Aguilar Baker Beutler Bohlke Bromm
Byars Connealy Crosby Cudaback Janssen
Lynch Robak Schmitt Schrock Thompson
Wickersham

Voting in the negative, 19:

Bruning Dickey Hudkins Jensen Jones
Kremer Kristensen Landis Matzke Pedersen, Dw.
Price Quandahl Redfield Smith Stuhr
Suttle Tyson Vrtiska Wehrbein

Present and not voting, 9:

Bourne Brown Chambers Coordsen Hartnett
Kiel Preister Raikes Schimek

Excused and not voting, 5:

Brashear Dierks Engel Hilgert Pederson, D.

The Robak-Janssen amendment lost with 16 ayes, 19 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Quandahl offered the following amendment:
AM2540
(Amendments to E & R amendments, AM7190)
1 1. On page 16, line 4, after "organization" insert ",
2 and no pickle card operator shall be obligated to sell individual
3 pickle cards exclusively on behalf of any one licensed organization
4 to the exclusion of all others"; and in line 14 after "value"
5 insert ", and such equipment shall not be purchased, leased, or
6 rented if the purchase, lease, or rental is based upon an
7 obligation requiring such operator to only sell individual pickle
8 cards on behalf of such licensed organization to the exclusion of
9 all others".

Senator Chambers offered the following amendment to the Quandahl pending amendment:
FA299
Amend AM2540
In line 4, strike new matter. In lines 8 and 9, strike "to the exclusion of all others".

SENATOR CUDABACK PRESIDING

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers withdrew his amendment.

The Quandahl amendment lost with 4 ayes, 11 nays, 30 present and not voting, and 4 excused and not voting.

Senator Smith offered the following amendment:
AM2542
(Amendments to E & R amendments, AM7190)
1 1. Insert the following new sections:
2 "Sec. 2. Section 9-1,101, Reissue Revised Statutes of

Nebraska, is amended to read:

9-1,101. (1) The Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section 9-701 shall be administered and enforced by the Charitable Gaming Division of the Department of Revenue, which division is hereby created. The Department of Revenue shall make annual reports to the Governor, Legislature, Auditor of Public Accounts, and Attorney General on all tax revenue received, expenses incurred, and other activities relating to the administration and enforcement of such acts.

(2) The Charitable Gaming Operations Fund is hereby created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(3) Forty percent of the taxes collected pursuant to sections 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable Gaming Division for administering and enforcing the acts listed in subsection (1) of this section and section 81-8,128. The remaining sixty percent~~,~~ ~~along with any portion of the forty percent not used by the division in its administration and enforcement of such acts or section 81-8,128,~~ shall be transferred to the General Fund. Any portion of the forty percent not used by the division in the administration and enforcement of such acts and section shall be transferred to the Compulsive Gamblers Assistance Fund.

(4) The Tax Commissioner shall employ investigators who shall be vested with the authority and power of a law enforcement officer to carry out the laws of this state administered by the Tax Commissioner or the Department of Revenue.

(5) The Charitable Gaming Division may charge a fee for publications and listings it produces. The fee shall not exceed the cost of publication and distribution of such items. The division may also charge a fee for making a copy of any record in its possession equal to the actual cost per page. The division shall remit the fees to the State Treasurer for credit to the Charitable Gaming Operations Fund.

Sec. 29. Section 9-812, Revised Statutes Supplement, 1999, is amended to read:

9-812. (1) All money received from the operation of lottery games conducted pursuant to the State Lottery Act in Nebraska shall be deposited in the State Lottery Operation Trust Fund, which fund is hereby created. All payments of expenses of the operation of the lottery games shall be made from the State Lottery Operation Cash Fund. In accordance with legislative appropriations, money for payments for expenses of the division shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Operation Cash Fund, which fund is hereby created. All money necessary for the payment of lottery prizes shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Prize Trust Fund, which fund is hereby created. The amount used for the payment of lottery prizes shall not be less than forty percent of the dollar amount of the lottery tickets which have been sold. At least twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund. ~~Forty-nine~~ Of the money available to be transferred to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund, the first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in sections 83-162.01 to 83-162.04. Thereafter, forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Education Innovation Fund. Forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act. One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in sections 83-162.01 to 83-162.04.

(2) The Education Innovation Fund is hereby created. Each fiscal year beginning with fiscal year 1994-95, at least seventy-five percent of the lottery proceeds allocated to the Education Innovation Fund shall be available for disbursement. The Education Innovation Fund shall be allocated in the following manner: Up to ten percent to fund the mentor teacher program pursuant to the Quality Education Accountability Act; up to seventy percent as quality education incentives pursuant to the act; and up to twenty percent of the fund shall be allocated by the Governor through incentive grants to encourage the development of strategic school improvement plans by school districts for accomplishing high performance learning and to encourage schools to establish innovations in programs or practices that result in restructuring of school organization, school management, and instructional programs which bring about improvement in the quality of education. Such incentive grants allocated by the Governor are intended to provide selected school districts, teachers or groups of teachers, nonprofit educational organizations, educational service units, or cooperatives funding for the allowable costs of implementing pilot projects and model programs.

From the funds allocated by the Governor, minigrants shall be available to school districts to support the development of strategic school improvement plans which shall include statements of purposes and goals for the districts. The plans shall also include the specific statements of improvement or strategic initiatives designed to improve quality learning for every student.

In addition to the minigrants granted for the development of strategic school improvement plans, school districts with annual budget expenditures of three hundred fifty thousand dollars or less are eligible for minigrants from the funds allocated by the Governor for the purposes allowed in subdivisions (2)(a) through (q) of this section. The amount of this type of minigrant shall not exceed five thousand dollars. The school district shall present a curriculum support plan with its application for the grant. The curriculum support plan must show how the district is working to achieve one or more of the allowed purposes and how the grant will be used to directly advance the plan to achieve one or more of these purposes. The plan must be signed by the school administrator and a school board representative. The application for the grant shall be brief. The Excellence in Education Council shall select the recipients of this type of minigrant and shall administer such minigrants.

From the funds allocated by the Governor, major competitive grants shall be available to support innovative programs which are directly related to the strategic school improvement plans. The development of a strategic school improvement plan by a school district shall be required before a grant is awarded. Annual reports shall be made by program recipients documenting the effectiveness of the program in improving the quality of education as designed in the strategic school improvement plans. Special consideration shall be given to plans which contain public or private matching funds and cooperative agreements, including agreements for in-kind services. Purposes for which such major competitive grants would be offered shall include:

(a) Professional staff development programs to provide funds for teacher and administrator training and continuing education to upgrade teaching and administrative skills;

(b) The development of strategic school improvement plans by school districts;

(c) Educational technology assistance to public schools for the purchase and operation of computers, telecommunications equipment and services, and other forms of technological innovation which may enhance classroom teaching, instructional management, and districtwide administration pursuant to the state's goal of ensuring that all kindergarten through grade twelve public school districts or affiliated school systems have a direct connection to a statewide public computer information network by June 30, 2000. The telecomputing equipment and services needed to meet this goal may be funded under this subsection, sections 79-1241.01, 79-1243, and 79-1310, or any combination of such subsection and sections. Such telecommunications equipment, services, and forms of technical innovation shall be approved by the State Department of Education only after review by the technical panel created in section 86-1511;

(d) An educational accountability program to develop an educational indicators system to measure the performance and outcomes of public schools and to ensure efficiency in operations;

(e) Alternative programs for students, including underrepresented groups, at-risk students, and dropouts;

(f) Programs that demonstrate improvement of student performance against valid national and international achievement standards;

(g) Early childhood and parent education which emphasizes child development;

(h) Programs using decisionmaking models that increase involvement of parents, teachers, and students in school management;

(i) Increased involvement of the community in order to achieve increased confidence in and satisfaction with its schools;

(j) Development of magnet or model programs designed to facilitate desegregation;

(k) Programs that address family and social issues impairing the learning productivity of students;

(l) Programs enhancing critical and higher-order thinking capabilities;

(m) Programs which produce the quality of education necessary to guarantee a competitive work force;

(n) Programs designed to increase productivity of staff and students through innovative use of time;

(o) Training programs designed to benefit teachers at all levels of education by increasing their ability to work with educational technology in the classroom;

(p) Approved accelerated or differentiated curriculum programs under sections 79-1106 to 79-1108.03; and

(q) Programs for students with disabilities receiving special education under the Special Education Act and students needing support services as defined in section 79-1125.01, which programs demonstrate improved outcomes for students through emphasis on prevention and collaborative planning.

The Governor shall establish the Excellence in Education Council. The Governor shall appoint eleven members to the council including representatives of educational organizations, postsecondary educational institutions, the business community, and the general public, members of school boards and parent education associations, school administrators, and at least four teachers who are engaged in classroom teaching. The State Department of Education shall provide staff support for the council to administer the Education Innovation Fund, including the Quality Education

Accountability Act. The council shall have the following powers and duties:

(i) In consultation with the State Department of Education, develop and publish criteria for the awarding of incentive grants allocated by the Governor for programs pursuant to this subsection, including minigrants;

(ii) Provide recommendations to the Governor regarding the selection of projects to be funded and the distribution and duration of project funding. For projects recommended under subdivision (2)(c) of this section, the council shall also provide recommendations to the Nebraska Information Technology Commission for its review and recommendations to the Governor;

(iii) Establish standards, formats, procedures, and timelines for the successful implementation of approved programs funded by incentive grants allocated by the Governor from the Education Innovation Fund;

(iv) Assist school districts in determining the effectiveness of the innovations in programs and practices and measure the subsequent degree of improvement in the quality of education;

(v) Consider the reasonable distribution of funds across the state and all classes of school districts;

(vi) Carry out its duties pursuant to the Quality Education Accountability Act; and

(vii) Provide annual reports to the Governor concerning programs funded by the fund. Each report shall include the number of applicants and approved applicants, an overview of the various programs, objectives, and anticipated outcomes, and detailed reports of the cost of each program.

To assist the council in carrying out its duties, the State Board of Education shall, in consultation with the council, adopt and promulgate rules and regulations establishing criteria, standards, and procedures regarding the selection and administration of programs funded from the Education Innovation Fund, including the Quality Education Accountability Act.

(3) Recipients of incentive grants allocated by the Governor from the Education Innovation Fund shall be required to provide, upon request, such data relating to the funded programs and initiatives as the Governor deems necessary.

(4) Any money in the State Lottery Operation Trust Fund, the State Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the Education Innovation Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(5) Unclaimed prize money on a winning lottery ticket shall be retained for a period of time prescribed by rules and regulations. If no claim is made within such period, the prize money shall be used at the discretion of the Tax Commissioner for

any of the purposes prescribed in this section.

Sec. 30. Section 83-162.04, Reissue Revised Statutes of Nebraska, is amended to read:

83-162.04. The Compulsive Gamblers Assistance Fund is created. The division shall administer the fund for the treatment of compulsive gamblers as recommended by the commission and shall spend no more than ~~fifty thousand dollars~~ ten percent of the money appropriated to the fund for administrative costs. In addition to money transferred to the fund from the State Lottery Operation Trust Fund under section 9-812 and the Charitable Gaming Operations Fund under sections 9-1,101 and 83-162.06, the department is authorized to accept for deposit in the Compulsive Gamblers Assistance Fund funds, donations, gifts, devises, or bequests from any federal, state, local, public, or private source to be used by the division in the exercise of this authority under and in the performance of its duties in carrying out the provisions of the Alcoholism, Drug Abuse, and Addiction Services Act which relate to compulsive gambling. The Director of Administrative Services shall draw warrants upon the Compulsive Gamblers Assistance Fund upon the presentation of proper vouchers by the division. Money from the Compulsive Gamblers Assistance Fund shall be used exclusively for the purpose of providing assistance to agencies, groups, organizations, and individuals that provide education, assistance, and counseling to individuals and families experiencing difficulty as a result of problem or pathological gambling, to promote the awareness of gamblers assistance programs, and to pay the costs and expenses of the division and the commission with regard to compulsive gambling. Neither the director of the division nor the division shall provide any direct services to problem or pathological gamblers or their families. Funds appropriated from the Compulsive Gamblers Assistance Fund shall not be granted or loaned to or administered by any of the mental health regional governing boards created pursuant to the Nebraska Comprehensive Community Mental Health Services Act unless the mental health region is a direct provider of services dealing with the treatment of compulsive gambling. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 31. Section 83-162.06, Reissue Revised Statutes of Nebraska, is amended to read:

83-162.06. It is the intent of the Legislature to appropriate to the Compulsive Gamblers Assistance Fund from the Charitable Gaming Operations Fund two hundred fifty thousand dollars on July 1 of each year for fiscal years 1997-98, 1998-99, and 1999-2000. For fiscal year 2000-01 and each fiscal year thereafter, it is the intent of the Legislature ~~to appropriate one million dollars~~ that, on June 30 of each fiscal year, the money remaining in the Charitable Gaming Operations Fund not used by the

Charitable Gaming Division in its administration and enforcement duties pursuant to section 9-1,101 shall be transferred to the Compulsive Gamblers Assistance Fund. ~~from the Charitable Gaming Operations Fund if the need for such funds is demonstrated to the Legislature.~~".

2. On page 40, line 7, after "sections" insert "9-1,101,"; in line 10 strike "and 9-352" and insert "9-352, 83-162.04, and 83-162.06" and after the second comma insert "and section 9-812, Revised Statutes Supplement, 1999,".

3. Renumber the remaining sections accordingly.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

The Smith amendment was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 914. Placed on General File as amended.
Standing Committee amendment to LB 914:
AM2350

1. On page 5, strike line 18, show the old matter as stricken, and insert "child is between the ages of twelve weeks and".

(Signed) Jim Jensen, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 1319. Placed on General File.

(Signed) DiAnna R. Schimek, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative resolution:

LB/LR	Committee
LR 304	Natural Resources

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

MOTION - Print in Journal

Senator Beutler filed the following motion to LB 1394:

Place LB 1394 on General File notwithstanding the action of the committee.

NOTICE OF COMMITTEE HEARING
Business and Labor

Tuesday, March 7, 2000 9:30 a.m.
Commission of Industrial Relations
Brenda Council
Nebraska Boiler Safety Code Advisory Board
James E. Marvin

(Signed) Floyd P. Vrtiska, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 306. Introduced by Kristensen, 37.

WHEREAS, Charles W. Durham and the late Margre H. Durham have served as pillars of community service in Omaha for many years; and

WHEREAS, Charles made his mark in the world through his extensive international engineering and architectural firm, and has given generously of his time and leadership to civic organizations that have benefited many Nebraskans; and

WHEREAS, Margre worked with many organizations in the arenas of education, art, children, and health services; and

WHEREAS, the NEBRASKAlander Award is presented to Charles W. Durham and the late Margre H. Durham for their service to our state's social, historical, cultural, and economic well-being; and

WHEREAS, the Wagonmaster Award is presented to former Governor Kay Orr in appreciation of her public service in Nebraska and her leadership as the nation's first female Republican Governor elected into office; and

WHEREAS, the Trailblazer Award is presented to Ken Wortman for his leadership and commitment to education, community service, and economic development in the community of Aurora and across the state; and

WHEREAS, the Pioneer Award is presented to Diane Nelson for capturing the spirit of Nebraska's heritage through her hard work as former First Lady of Nebraska in the restoration of the Governor's residence and with her continuing service to the community.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extend its appreciation to the aforesaid honorees for their service to the State of Nebraska.
2. That a copy of this resolution be given to all honorees.

Laid over.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 1004:

(Amendment, AM2483, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Raikes filed the following amendment to LB 715:
(Amendment, AM2536, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Thompson filed the following amendment to LB 1018:
(Amendment, AM2498, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Beutler filed the following amendment to LB 1018:
AM2544

(Amendments to E & R amendments, AM7201)

1. On page 12, line 11, after "facility" insert ", except that a manufacturer or distributor may hold stock in a publicly held franchise, franchisee, or consumer care or service facility so long as the manufacturer or distributor does not by virtue of holding such stock operate or control the franchise, franchisee, or consumer care or service facility".

Senator Bromm filed the following amendment to LB 1018:
AM2548

(Amendments to E & R amendments, AM7201)

1. On page 15, line 17, strike "by" and insert "through".

Senator Bromm filed the following amendment to LB 155:
AM2549

(Amendments to E & R amendments, AM7199)

1. On page 6, line 8, strike "two" and insert "one and ninety-hundredths".

Senator Suttle filed the following amendment to LB 925:
AM2504

1. On page 3, line 17, after "license," insert "accredit, qualify for accreditation,".

2. On page 4, line 5, after "years" insert ", except that if the child care facility is (a) accredited under section 43-2620 or becomes accredited under section 43-2620 during the three-taxable-year period and (b) the accreditation is maintained throughout the tax years during which the credit is taken, the credit may be taken for an additional consecutive three taxable years after the end of the third taxable year for which a credit has first been taken under this section".

Senator Thompson filed the following amendment to LB 652:
AM2526

(Amendments to AM2267)

1. On page 3, lines 10 through 13, reinstate the stricken matter.

2. On page 19, line 13, strike "July 1, 2001" and insert "January 1, 2002".

Senator Thompson filed the following amendment to LB 652A:
AM2537

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. There is hereby appropriated $215,460 from the General Fund and $323,190 federal funds for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 348, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated $3,039,157 from the General Fund for FY2001-02 to the Department of Health and Human Services, for Program 250, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $158,520 for FY2001-02.

Sec. 3. There is hereby appropriated $100,000 from the General Fund for FY2001-02 to the Department of Correctional Services, for Program 370, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $64,344 for FY2001-02.".

STANDING COMMITTEE REPORT
Education

LEGISLATIVE BILL 1401. Placed on General File as amended.
Standing Committee amendment to LB 1401:
AM2545

1. Insert the following new section:

"Sec. 3. Section 79-234, Reissue Revised Statutes of Nebraska, is amended to read:

79-234. (1) An enrollment option program is hereby established to enable any kindergarten through twelfth grade Nebraska student to attend a school in a Nebraska public school district in which the student does not reside subject to the limitations prescribed in section 79-238. The option shall be available only once to each student prior to graduation unless (a) the student relocates in a different resident school district, (b) the option school district merges with another district, or (c) the option school district is a Class I district. The option student shall be given the option to attend school in another district at the time of relocation or merger or upon completion of the grades offered at the Class I district. If the option school district merges with another district, the option student may continue the first option and use the second option at a later time.

(2) The program shall not apply to (a) any student who resides in a Class I district which has not affiliated and which contracts or has contracted in either or both of the two prior school years with another district or districts in such student's grade level pursuant to section 79-598 or (b) any student who resides in a district which has entered into an annexation agreement pursuant to section 79-473, except that such student may transfer to another district which accepts option students.".

2. On page 26, strike beginning with the underscored comma in line 21 through the underscored comma in line 22; in line 23 after the period insert "For school fiscal year 2001-02 the maximum levy for purposes of this section shall be one dollar and ten cents."; and in line 24, strike "subsection (2)", show as stricken, and insert "subsections (2) and (4)".

3. On page 28, line 4, after "(4)" insert "Beginning with aid to be paid in school fiscal year 2001-02, the limitations contained in subsection (3) of this section shall not apply to local systems that received less than twenty percent of their general fund operating expenditures from property taxes. Local systems that are exempt from the limitations of subsection (3) of this section are subject to all other limitations on aid and shall not receive equalization aid in an amount greater than the district's general fund operating expenditures.

(5)".

4. On page 29, strike beginning with the underscored comma in line 7 through the underscored comma in line 8; and in line 9 after the period insert "For school fiscal year 2001-02 the maximum levy for purposes of this section shall be one dollar and ten cents.".

5. On page 35, line 12, after "annually" insert "and may meet more often upon the call of the chairperson".

6. On page 37, line 18, after "district" insert "qualified for such funds based on intent to merge, consolidate, or unify and".

7. On page 51, line 23, after "sections" insert "79-234,".

8. Renumber the remaining sections accordingly.

(Signed) Ardyce L. Bohlke, Chairperson

WITHDRAW - Cointroducer

Senator Schmitt withdrew his name as cointroducer to LB 1234.

MOTION - Adjournment

Senator Robak moved to adjourn until 9:00 a.m., Friday, February 25, 2000. The motion failed with 14 ayes, 20 nays, 12 present and not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 659. Senator Robak requested a record vote on the advancement of the bill.

Senator Lynch moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

Senator Lynch requested a roll call vote on the advancement of the bill.

Senator Bohlke requested the roll call vote be taken in reverse order.

Voting in the affirmative, 22:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bruning	Connealy	Crosby	Hartnett
Janssen	Kiel	Kristensen	Pedersen, Dw.	Preister
Quandahl	Schrock	Smith	Suttle	Thompson
Vrtiska	Wehrbein			

Voting in the negative, 15:

Coordsen	Dickey	Dierks	Hudkins	Jensen
Jones	Kremer	Landis	Price	Redfield
Robak	Schimek	Stuhr	Tyson	Wickersham

Present and not voting, 8:

Bromm	Brown	Byars	Chambers	Lynch
Matzke	Raikes	Schmitt		

Absent and not voting, 1:

Cudaback

Excused and not voting, 3:

Engel	Hilgert	Pederson, D.

Failed to advance to E & R for engrossment with 22 ayes, 15 nays, 8 present and not voting, 1 absent and not voting, and 3 excused and not voting.

VISITORS

Visitors to the Chamber were Brad Adams from Spencer; 30 members of United Chamber of Commerce from Scottsbluff, Gering, Mitchell, Minatare, Morrill, Bridgeport, and Kimball; 40 ninth through twelfth grade students and teacher from Grand Island Senior High School; Dorothy Elias from Omaha; and 40 fourth grade students and teachers from Louisville Elementary School.

The Doctor of the Day was Dr. Richard Gustafson from Lincoln.

ADJOURNMENT

At 12:05 p.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Friday, February 25, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

THIRTY-THIRD DAY - FEBRUARY 25, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Friday, February 25, 2000

PRAYER

The prayer was offered by Reverend James Hawley, First Presbyterian Church, North Platte, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Byars, Engel, and Redfield who were excused; and Senators Beutler, Bromm, Brown, Coordsen, Dierks, Kiel, Lynch, Matzke, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-second day was approved.

NOTICE OF COMMITTEE HEARING
Education

Wednesday, March 22, 2000 1:15 p.m.
Coordinating Commission for Postsecondary Education
Dick Davis
Debra Fischer
Megan Massey

(Signed) Ardyce L. Bohlke, Chairperson

STANDING COMMITTEE REPORTS
Nebraska Retirement Systems

The Nebraska Retirement Systems Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Investment Council
Greg Stine

Public Employees Retirement Systems Board
Rick Black
Daniel Contonis

VOTE: Aye: Senators Crosby, Stuhr, Wickersham, and Wehrbein. Nay: None. Absent: Senators Bruning and Bourne.

(Signed) Elaine R. Stuhr, Chairperson

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska State Emergency Response Commission
Rick Kuckkahn

VOTE: Aye: Senators Aguilar, Janssen, Quandahl, Schimek, Schmitt, Smith, and Vrtiska. Nay: None. Absent: Senator Cudaback.

(Signed) DiAnna R. Schimek, Chairperson

Nebraska Retirement Systems

LEGISLATIVE BILL 1104. Placed on General File as amended.
Standing Committee amendment to LB 1104:
AM2288

1. On page 5, strike beginning with "The" in line 9 through line 20 and insert "The county deferred compensation plan may allow individuals to transfer amounts deferred under the state deferred compensation plan to the county deferred compensation plan when an individual terminates participation in the state deferred compensation plan and begins participation in the county deferred compensation plan. In such a case, the county deferred compensation plan shall accept transfers of assets from the state deferred compensation plan. Such transfers of assets shall be completed within ninety days after the date the individual terminates participation in the state deferred compensation plan.".

LEGISLATIVE BILL 545. Indefinitely postponed.

(Signed) Elaine R. Stuhr, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 1060. Indefinitely postponed.
LEGISLATIVE BILL 1127. Indefinitely postponed.
LEGISLATIVE BILL 1156. Indefinitely postponed.
LEGISLATIVE BILL 1176. Indefinitely postponed.
LEGISLATIVE BILL 1177. Indefinitely postponed.
LEGISLATIVE BILL 1256. Indefinitely postponed.
LEGISLATIVE BILL 1318. Indefinitely postponed.
LEGISLATIVE BILL 1389. Indefinitely postponed.
LEGISLATIVE BILL 1402. Indefinitely postponed.
LEGISLATIVE BILL 1440. Indefinitely postponed.
LEGISLATIVE BILL 1442. Indefinitely postponed.

(Signed) David M. Landis, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 24, 2000, in accordance with Sections 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Bentjen, Charles J. – Lincoln; Nebraska Synod, ELCA
Hallstrom, Robert J. – Lincoln; HLR Service Corporation
McGee, John A. – Houston, TX; CSC Credit Services
Mueller, William J. – Lincoln; Western Sugar Company (Withdrawn 02/22/2000)
Ruth, Larry L. – Lincoln; Western Sugar Company (Withdrawn 02/22/2000)
Schmit Industries, Inc. – Lincoln; Allied Gaming Incorporated

MOTIONS - Approve Appointments

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 768: Health and Human Services System Partnership Council - Ella Ochoa and Kathy Moore; Policy Secretary, Health and Human Services System - Chris Peterson; and Board of Health - Linda Lazure.

Senator Wickersham requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 768:

Policy Secretary, Health and Human Services System - Chris Peterson.

Voting in the affirmative, 36:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bruning	Chambers	Connealy	Crosby
Cudaback	Dickey	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen
Landis	Pedersen, Dw.	Pederson, D.	Preister	Price
Quandahl	Raikes	Schimek	Schmitt	Schrock
Smith	Suttle	Thompson	Tyson	Wehrbein
Wickersham				

Voting in the negative, 0.

Present and not voting, 3:

Coordsen	Stuhr	Vrtiska

Excused and not voting, 10:

Bromm	Brown	Byars	Dierks	Engel
Kiel	Lynch	Matzke	Redfield	Robak

The appointment was confirmed with 36 ayes, 0 nays, 3 present and not voting, and 10 excused and not voting.

The second division is as follows:
Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 768: Health and Human Services System Partnership Council - Ella Ochoa and Kathy Moore; and Board of Health - Linda Lazure.

Voting in the affirmative, 34:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bruning	Chambers	Connealy	Crosby
Cudaback	Dickey	Hilgert	Hudkins	Janssen
Jensen	Jones	Kremer	Kristensen	Landis
Pederson, D.	Preister	Price	Quandahl	Raikes
Schimek	Schmitt	Schrock	Smith	Suttle
Thompson	Tyson	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 5:

Coordsen	Hartnett	Pedersen, Dw.	Stuhr	Vrtiska

Excused and not voting, 10:

Bromm Brown Byars Dierks Engel
Kiel Lynch Matzke Redfield Robak

The appointments were confirmed with 34 ayes, 0 nays, 5 present and not voting, and 10 excused and not voting.

Senator Hudkins asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointment found on page 774: State Personnel Board - Samuel F. Seever.

Voting in the affirmative, 33:

Aguilar Baker Bohlke Bourne Brashear
Bruning Crosby Cudaback Dickey Hartnett
Hilgert Janssen Jensen Jones Kiel
Kremer Kristensen Landis Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Schimek
Schmitt Schrock Smith Suttle Thompson
Tyson Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 5:

Beutler Connealy Coordsen Stuhr Vrtiska

Excused and not voting, 10:

Bromm Brown Byars Dierks Engel
Hudkins Lynch Matzke Redfield Robak

The appointment was confirmed with 33 ayes, 1 nay, 5 present and not voting, and 10 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1243A. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

LEGISLATIVE BILL 1436A. Title read. Considered.

Senators Bruning, Brashear, and Vrtiska asked unanimous consent to be excused until they return. No objections. So ordered.

Advanced to E & R for review with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 715. The Standing Committee amendment, AM0834, printed separately and referred to on page 1028, First Session, 1999, and considered on page 776, was renewed.

Senator Raikes withdrew his amendment, AM2404, printed separately and referred to on page 674 and considered on page 776.

Senator Raikes renewed his pending amendment, AM2536, printed separately and referred to on page 797, to the Standing Committee amendment.

Senators Dickey and Dw. Pedersen asked unanimous consent to be excused. No objections. So ordered.

The Raikes amendment was adopted with 25 ayes, 1 nay, 16 present and not voting, and 7 excused and not voting.

Pending.

MOTION - Print in Journal

Senators Schimek and Janssen filed the following motion to LR 289CA:
Place LR 289CA on General File pursuant to Rule 3, Section 19(b).

RESOLUTIONS

LEGISLATIVE RESOLUTION 307. Introduced by Wickersham, 49.

WHEREAS, Taryn Retzlaff, an esteemed resident of Rushville, Nebraska, has achieved national recognition for exemplary volunteer service by receiving a 2000 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Retzlaff earned this award by giving generously of her time and energy; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Ms. Retzlaff who use their considerable talents and resources to serve others.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates and honors Ms. Retzlaff as a recipient of a Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for her continued success and happiness.
2. That a copy of the resolution be sent to Taryn Retzlaff.

Laid over.

LEGISLATIVE RESOLUTION 308. Introduced by Price, 26.

WHEREAS, Rev. Howard and Mary Holverson of Lincoln, Nebraska, celebrated their 68th wedding anniversary on January 22, 2000; and

WHEREAS, the Holversons were married on January 22, 1932, in Beaver City, Nebraska, and have three children, nine grandchildren, and eleven great-grandchildren; and

WHEREAS, from 1933 to 1976 Rev. Holverson, an ordained minister, and Mrs. Holverson served Christian Church congregations in Nebraska, Kansas, Oklahoma, and Kentucky in a variety of ways, while raising their family and caring for ailing parents; and

WHEREAS, the Holversons retired to Lincoln, Nebraska, in 1976, where they now live.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Rev. Howard and Mary Holverson on their 68th wedding anniversary.
2. That a copy of this resolution be sent to Howard and Mary Holverson.

Laid over.

AMENDMENTS - Print in Journal

Senator Preister filed the following amendment to LB 717A:
AM2543

1. Insert the following new section:

"Sec. 3. There is hereby appropriated (1) $16,040 from the General Fund for FY2000-01 and (2) $13,871 from the General Fund for FY2001-02 to the Military Department, for Program 545, to aid in carrying out the provisions of Legislative Bill 717, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $7,874 for FY2000-01 or $8,104 for FY2001-02.".

Senator Bromm filed the following amendment to LB 349:
AM2551

1. On page 4, line 12, strike "2000" and insert "2001".

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1363A. Introduced by Connealy, 16.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1363, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

LEGISLATIVE BILL 1239. Placed on General File.
LEGISLATIVE BILL 1249. Placed on General File.

LEGISLATIVE BILL 358. Placed on General File as amended.
Standing Committee amendment to LB 358:
AM2528

1. Strike the original sections and insert the following new sections:

"Section 1. Section 60-6,279, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,279. (1) A person shall not operate or be a passenger on a motorcycle or moped on any highway in this state unless such person is wearing a protective helmet of the type and design manufactured for use by operators of such vehicles and unless such helmet is secured properly on his or her head with a chin strap while the vehicle is in motion, except that a person who holds a Class M operator's license and who is twenty-one years of age or older shall not be required to wear such a helmet if the person holds a certificate approved by the Department of Motor Vehicles showing that he or she has successfully completed a motorcycle safety course under the Motorcycle Safety Education Act at least one year prior to the date in question.

All such protective helmets shall be designed to reduce injuries to the user resulting from head impacts and shall be designed to protect the user by remaining on the user's head, deflecting blows, resisting penetration, and spreading the force of impact. Each such helmet shall consist of lining, padding, and chin strap and shall meet or exceed the standards established in the United States Department of Transportation's Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for motorcycle helmets.

Sec. 2. Original section 60-6,279, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 1317. Placed on General File as amended.
(Standing Committee amendment, AM2481, may be found in the Bill

Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Curt Bromm, Chairperson

Urban Affairs

LEGISLATIVE BILL 1098. Placed on General File as amended.
Standing Committee amendment to LB 1098:
AM2459

1. On page 6, strike lines 6 through 10; strike beginning with "levy" in line 12 through the comma in line 14 and insert "dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under the bonds,".

(Signed) D. Paul Hartnett, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 994. Placed on Select File as amended.
(E & R amendment, AM7208, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1243. Placed on Select File as amended.
E & R amendment to LB 1243:
AM7209

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 79-1115, Revised Statutes Supplement, 1998, is amended to read:

79-1115. Allowable costs means:

(1) For school fiscal years prior to school fiscal year 1999-00, salaries, wages, benefits, and maintenance, supplies, travel, and other expenses essential to carry out the provisions for special education and support services; and

(2) For school fiscal year 1999-00 and each school fiscal year thereafter, salaries, wages, benefits, any medical expenditure by a school district for purposes of providing individualized education plan services for a special education student and health protection to the provider of the services, and maintenance, supplies, travel, and other expenses essential to carry out the provisions for special education and support services.

Sec. 2. Section 79-1145, Revised Statutes Supplement, 1999, is amended to read:

79-1145. For each fiscal year, the aggregate amount of General Funds appropriated for special education programs and support services pursuant to sections 79-1129, 79-1132, and 79-1144 shall not exceed the aggregate amount of General Funds appropriated pursuant to such sections for the previous fiscal year, multiplied by one plus a rate of ~~three~~ five percent.

Sec. 3. Original section 79-1115, Revised Statutes Supplement, 1998, and section 79-1145, Revised Statutes Supplement, 1999, are repealed.".

LEGISLATIVE BILL 557. Placed on Select File as amended.
E & R amendment to LB 557:
AM7207

1. Because of the passage of Laws 1999, LB 87, and Laws 1999, LB 232, strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 77-2704.15, Revised Statutes Supplement, 1999, is amended to read:

77-2704.15. (1) Sales and use taxes shall not be imposed on the gross receipts from the sale, lease, or rental of and the storage, use, or other consumption in this state of purchases by the state, including public educational institutions recognized or established under the provisions of Chapter 85, or by any county, township, city, village, rural or suburban fire protection district, city airport authority, county airport authority, joint airport authority, natural resources district, or joint entity or agency formed to fulfill the purposes described in the Integrated Solid Waste Management Act by any combination of two or more counties, townships, cities, or villages pursuant to the Interlocal Cooperation Act, the Integrated Solid Waste Management Act, or the Joint Public Agency Act, except for purchases for use in the business of furnishing gas, water, electricity, or heat, or by any irrigation or reclamation district, the irrigation division of any public power and irrigation district, or public schools established under Chapter 79.

(2) The appointment of purchasing agents shall be recognized for the purpose of altering the status of the construction contractor as the ultimate consumer of property which is physically annexed to the structure and which subsequently belongs to the state or the governmental unit. The appointment of purchasing agents shall be in writing and occur prior to having any property annexed to real estate in the construction, improvement, or repair. The contractor who has been appointed as a purchasing agent may apply for a refund of or use as a credit against a future use tax liability the tax paid on inventory items annexed to real estate in the construction, improvement, or repair of a project for the state or a governmental unit.

(3) Any governmental unit listed in subsection (1) of this section, except the state, which enters into a contract of construction, improvement, or repair upon property annexed to real estate without first issuing a purchasing agent authorization to a

contractor or repairperson prior to property being annexed to real estate in the project may apply to the Tax Commissioner for a refund of any sales and use tax paid by the contractor or repairperson on the property physically annexed to real estate in the construction, improvement, or repair.

Sec. 2. This act becomes operative on October 1, 2000.

Sec. 3. Original section 77-2704.15, Revised Statutes Supplement, 1999, is repealed.".

2. On page 1, line 2, strike "Reissue Revised Statutes of Nebraska" and insert "Revised Statutes Supplement, 1999"; and in line 4 after the semicolon insert "to provide an operative date;".

LEGISLATIVE BILL 717A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 715. The Standing Committee amendment, AM0834, as amended, was adopted with 25 ayes, 1 nay, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 28 ayes, 5 nays, 9 present and not voting, and 7 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 652. E & R amendment, AM7193, found on page 692, was adopted.

Senator Thompson renewed her pending amendment, AM2526, found on page 797.

SENATOR CUDABACK PRESIDING

Senators Tyson and Vrtiska asked unanimous consent to be excused. No objections. So ordered.

The Thompson amendment was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

Pending.

AMENDMENT – Print in Journal

Senator Beutler filed the following amendment to LB 414:
AM2565

1. In AM2008, strike amendment 5.

2. On page 5, strike beginning with "If" in line 4

through line 9 and insert "If the clerk declines the position or upon further vacancy, the clerk of the courts shall be appointed, pursuant to the personnel rules of the Supreme Court, by a majority of the district judges of the judicial district, with the concurrence of the majority of the county judges of the judicial district;".

REPORTS

The following reports were received by the Legislature:

Ethanol Board

Ethanol Producer Incentive Cash Fund Summary
Ethanol Production Incentive Credit Summary
EPIC Fund Cash Flow Projection

Roads, Department of

Board of Public Roads Classifications and Standards Minutes for December 17, 1999

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1267. Placed on General File.

LEGISLATIVE BILL 1387. Placed on General File as amended.
Standing Committee amendment to LB 1387:
AM2475

1. On page 3, line 28, after "guardian" insert "appointed by a court of competent jurisdiction".
2. On page 4, strike beginning with "who" in line 1 through "minor" in line 2; and in line 2 after the period insert "In addition, any person appointed to serve as agent under a valid durable power of attorney pursuant to the Uniform Durable Power of Attorney Act may represent any person entitled to receive statements of account activity.".

(Signed) David M. Landis, Chairperson

Natural Resources

LEGISLATIVE BILL 1234. Placed on General File as amended.
Standing Committee amendment to LB 1234:
AM2553

1. Strike the original sections and insert the following new sections:

"Section 1. (1) Except as otherwise provided in this section, all gasoline offered for sale, sold, or dispensed for use as motor fuel in Nebraska shall, beginning January 1, 2001, contain a renewable fuel content equal to or greater than three and one-half percent weight oxygen. For purposes of this section, renewable fuel means fuel made from renewable sources such as ethanol produced from corn, sorghum, and biomass.

(2) Gasoline shall be exempt from the requirements of subsection (1) of this section if it is (a) a premium grade fuel containing ninety-one or more octane or (b) offered for sale, sold, or dispensed for use at an airport in aircraft.

Sec. 2. The Department of Revenue shall monitor wholesale terminal prices of gasoline offered for sale, sold, or dispensed pursuant to section 1 of this act. If at any time the wholesale price of blended renewable fuel is more than the wholesale price of premium grade fuel, the department shall cause the renewable fuel content to be adjusted to reduce the wholesale price differential. The wholesale price differential shall be based upon the Axxis Petroleum Rack Price Report or other commonly used wholesale price reports as determined by the department.

Sec. 3. The Attorney General shall enforce sections 1 and 2 of this act and may:

(1) Subpoena witnesses, compel their attendance, examine them under oath, and require the production of documents, records, or tangible things deemed relevant to the proper performance of his or her duties. Service of any subpoena shall be made in the manner prescribed by the rules of civil procedure;

(2) Bring suit to enjoin a violation or threatened violation of section 1 of this act. Venue for such action shall be in the county in which the alleged violation occurred, is occurring, or is threatening to occur, or in Lancaster County; and

(3) Impose or levy an administrative fine of not more than one thousand dollars on any person who has violated section 1 of this act. Any separate activity or day in which an activity takes place shall be considered to be a separate violation.

Sec. 4. On or before December 1 of each year, the Department of Revenue shall issue a report to the Legislature regarding its duties pursuant to section 2 of this act.

Sec. 5. This act becomes operative on January 1, 2001.

Sec. 6. The following section is outright repealed: Section 66-1225, Reissue Revised Statutes of Nebraska.".

LEGISLATIVE BILL 1343. Placed on General File as amended.
Standing Committee amendment to LB 1343:
AM2554

1. Strike original section 1 and insert the following new section:

"Section 1. Section 2-3218, Reissue Revised Statutes of Nebraska, is amended to read:

2-3218. Board members shall be compensated for their actual and necessary expenses incurred in connection with their duties. Each board may provide a per diem payment for directors of not to exceed ~~fifty~~ seventy dollars for each day that such director attends meetings of the board or is engaged in matters concerning the district, but no director shall receive more than two thousand eight hundred dollars in any one year. Such per diem payments shall be in addition to and separate from compensation for expenses.".

LEGISLATIVE BILL 903. Indefinitely postponed.
LEGISLATIVE BILL 1184. Indefinitely postponed.
LEGISLATIVE BILL 1244. Indefinitely postponed.
LEGISLATIVE BILL 1266. Indefinitely postponed.
LEGISLATIVE BILL 1359. Indefinitely postponed.
LEGISLATIVE BILL 1395. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

VISITORS

Visitors to the Chamber were 63 members of Singles in Agriculture; 40 fourth grade students and teachers from Lincoln Elementary School, Beatrice; 75 students and teachers from Hamlow Elementary School, Waverly; and Nadine DiBacco from Gering.

ADJOURNMENT

At 12:02 p.m., on a motion by Senator Chambers, the Legislature adjourned until 9:00 a.m., Monday, February 28, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-FOURTH DAY - FEBRUARY 28, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

THIRTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, February 28, 2000

PRAYER

The prayer was offered by Dr. James Brewer, First United Methodist Church, Waverly, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senator Dw. Pedersen who was excused; and Senators Bromm, Brown, Byars, Dierks, Kiel, Kristensen, Landis, Matzke, Robak, Schimek, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-third day was approved.

MESSAGES FROM THE GOVERNOR

February 25, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

I am returning LB 510 without my signature and with my objections.

The reasons for my veto of the legislation center upon my belief that this measure is not necessary and will interfere with the balance of elected representation between the State's non-partisan Unicameral and the constitutional officers who are elected on the basis of party affiliation.

Nebraska's statewide constitutional officers have been elected under a party system since our inception as a state in 1867. Our democratic republic was designed in a very deliberate manner. Even when Nebraskans voted to change from a bicameral to a unicameral Legislature, and to elect representatives from the Legislature on a non-partisan basis, the election of statewide constitutional officers under a party system was left intact. I firmly believe that this deliberate design has brought about the appropriate balance of electing members of the Legislature and the constitutional officers.

Nebraska's system has worked well. There is no need to separate out the Attorney General for election on a non-partisan basis. I urge the Legislature to sustain my veto of LB 510.

Sincerely,
(Signed) Mike Johanns
Governor

February 25, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Coordinating Commission for Post-Secondary Education:

APPOINTEE:
Earl Scudder, 9301 Pioneer Blvd, Lincoln NE 68520

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1436A. Placed on Select File.
LEGISLATIVE BILL 1243A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 919. Indefinitely postponed.
LEGISLATIVE BILL 1173. Indefinitely postponed.
LEGISLATIVE BILL 1307. Indefinitely postponed.
LEGISLATIVE BILL 1372. Indefinitely postponed.
LEGISLATIVE BILL 1438. Indefinitely postponed.

LEGISLATIVE RESOLUTION 299. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

MOTION - Approve Appointment

Senator Jones moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointment found on page 783: Nebraska Transit and Rail Advisory Council - Roberto Munguia.

Voting in the affirmative, 30:

Aguilar	Baker	Bohlke	Bourne	Brashear
Bromm	Bruning	Connealy	Cudaback	Dickey
Engel	Hartnett	Hilgert	Hudkins	Janssen
Jones	Kremer	Lynch	Pederson, D.	Preister
Price	Quandahl	Raikes	Schmitt	Smith
Stuhr	Suttle	Thompson	Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 8:

Beutler	Chambers	Coordsen	Crosby	Jensen
Redfield	Schrock	Vrtiska		

Excused and not voting, 11:

Brown	Byars	Dierks	Kiel	Kristensen
Landis	Matzke	Pedersen, Dw.	Robak	Schimek
Tyson				

The appointment was confirmed with 30 ayes, 0 nays, 8 present and not voting, and 11 excused and not voting.

GENERAL FILE

LEGISLATIVE RESOLUTION 291CA. Read. Considered.

The Standing Committee amendment, AM2231, found on page 551, was

adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Agriculture

LEGISLATIVE BILL 961. Placed on General File.
LEGISLATIVE BILL 1382. Placed on General File.

LEGISLATIVE BILL 1092. Placed on General File as amended.
Standing Committee amendment to LB 1092:
AM2552

1. Strike section 2 and insert the following new sections:

"Sec. 2. It is the intent of the Legislature that beginning August 1, 2001, the Department of Agriculture shall implement a pilot program of state meat inspection at establishments, as defined by section 54-1902, which process meat, poultry, or meat and poultry products for human consumption for entry into intrastate commerce. It is the intent of the Legislature that such program of meat and poultry inspection shall be limited to small-to-medium size establishments as determined by rule and regulation of the department according to killing capacity or weight or volume of product produced under inspection.

Sec. 3. The Department of Agriculture shall employ a program administrator who shall be responsible for all aspects of developing, implementing, and operating a state meat inspection program. Such administrator shall coordinate all activities necessary, including cooperation with the United States Secretary of Agriculture, in order to prepare a state performance plan which meets the federal requirements for certification of a state program of meat and poultry inspection and includes requirements for ante mortem and post mortem inspection, reinspection, sanitation, and program management at least equal to those imposed under the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Poultry Products Inspection Act, 21 U.S.C. 451 et seq. The state may enter into cooperative agreements with the United States Secretary of Agriculture for financial, technical, and other assistance in order to develop and maintain a state program of meat and poultry inspection.

Sec. 4. On or before December 15, 2000, the Department of Agriculture and the Agriculture Committee of the Legislature shall provide a report to the Legislature which shall enumerate and describe any actions necessary to implement a state pilot program of meat and poultry inspection. The report shall recommend any necessary changes to the Nebraska Meat and Poultry Inspection Law, other statutory authority of the department, and any rules and regulations promulgated thereto in order to effect the purposes of section 2 of this act and to meet requirements for ante mortem and post mortem inspection, reinspection, sanitation, and program management requirements at least equal to those imposed under the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the federal Poultry Products Inspection Act, 21 U.S.C. 451 et seq. The report shall discuss anticipated participation in the program, including the types and numbers of establishments where state meat and poultry inspection would be maintained, and shall include a detailed description of anticipated resources required to develop and maintain a program of meat inspection.

Sec. 5. (1) Except as provided in subsection 2 of this section, the state meat inspection pilot program shall terminate on January 1, 2005. At the conclusion of the third year of the pilot program, the Department of Agriculture and the Department of Economic Development shall evaluate the number of establishments which have become state-inspected facilities, the number of animals being processed at such establishments, and the economic impact of plants utilizing the state meat inspection pilot program. The departments shall report the results of the evaluation to the Governor and the Legislature within six months after commencing the evaluation.

(2) If state meat inspection is being maintained at fewer than five establishments on or after August 1, 2003, the state meat inspection pilot program shall be terminated. If the program is to be terminated, inspection may continue at state inspected establishments for a period of time necessary to enable such establishments to process any remaining inventories, but such period shall not be longer than two weeks.".

LEGISLATIVE BILL 1009. Indefinitely postponed.

(Signed) Merton L. Dierks, Chairperson

Health and Human Services

LEGISLATIVE BILL 1210. Placed on General File.
LEGISLATIVE BILL 1212. Placed on General File.
LEGISLATIVE BILL 1261. Placed on General File.
LEGISLATIVE BILL 1298. Placed on General File.
LEGISLATIVE BILL 1366. Placed on General File.

LEGISLATIVE BILL 1264. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

GENERAL FILE

LEGISLATIVE RESOLUTION 291CA. Considered.

Senator Chambers moved to indefinitely postpone LR 291CA.

Senator Chambers withdrew his motion to indefinitely postpone.

Advanced to E & R for review with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

ATTORNEY GENERAL'S OPINION

Opinion #00014

DATE:	February 23, 2000
SUBJECT:	Constitutionality Under Neb. Const. art. III, § 24, of LB 659 and LB 560
REQUESTED BY:	Senator Jim Jensen Nebraska State Legislature
WRITTEN BY:	Don Stenberg, Attorney General L. Jay Bartel, Assistant Attorney General

You have requested our opinion concerning the validity under Neb. Const. art. III, § 24, of two bills currently before the Legislature (LB 659 and LB 560) proposing to expand the manner in which certain gambling activities may be conducted in Nebraska. LB 659 proposes to authorize the use of "electronic pickle card dispensing devices." LB 560 proposes to amend the Nebraska County and City Lottery Act to provide that, in addition to the "paper ticket" form of keno currently authorized, "magnetically recorded tickets" could be utilized to select numbers to play keno. Your question is whether, in light of prior opinions of this office addressing the constitutionality of proposed legislation attempting to authorize the use of "electronic" or "video" gambling devices, the forms of gambling proposed in LB 659 and LB 560 are consistent with the Legislature's power to authorize "lotteries" for "charitable or community betterment purposes" under art. III, § 24.[1]

I. LB 659 - "ELECTRONIC" PICKLE CARD DISPENSING DEVICES

In Op. Att'y Gen. No. 97013 (February 28, 1997), we addressed whether legislation proposing to amend the Nebraska Pickle Card Lottery Act to allow the use of "electronic" pickle cards which would be "electronically open[ed]. . . by moving a finger or other physical object over the face of the displayed pickle card" was a lawful form of "lottery," or a prohibited "game of chance" under art. III, § 24. We noted that one bill before the Legislature proposing to authorize use of an "electronic pickle card" device (LB 522) did not provide for the dispensing of a physical card or ticket to the player. We concluded that, "[b]ecause of the absence of a physical card or ticket, . . ., it [was] questionable whether the 'electronic' pickle card play proposed under LB 522 [could] be considered a permissible form of 'lottery' under art. III, § 24." Op. Att'y Gen. No. 97013 at 8. We also noted, however, that another bill which proposed to amend the Nebraska Pickle Card Lottery Act (LB 723), while it allowed the use of video pickle card display devices, "continue[d] to require that the player receive a physical card or ticket, to be opened by the player." ***Id.*** In that case, we concluded that "the video display of the contents of the ticket could be viewed as a legitimate form of technological aid or enhancement to play, with the physical card or ticket remaining as an element of the lottery." ***Id.*** Thus, we found that the "use of video enhancement in the play of the game in this manner, while retaining the physical card or ticket element, would be consistent with the type of 'lottery' which the Legislature may authorize under art. III, § 24." ***Id.***

LB 659 proposes to permit the use of "electronic pickle card dispensing devices which provide for the electronic opening of a pickle card by moving a finger or other physical object over the pickle card which is electronically displayed." LB 659, § 1. The electronic dispensing device "shall issue a ticket which provides tangible evidence of participation and which bears the name and state identification number of the licensed organization, the date and time of purchase, whether the ticket is a winning or losing ticket, and if it is a winning ticket, the amount of the prize and a secure electronic code that must be validated and redeemed by the cashier on the premises." ***Id.*** No electronic pickle card dispensing device "shall dispense coins, currency, or tokens." ***Id.***

LB 659 is an apparent attempt to address the constitutional objections to LB 522 raised in our prior opinion. While permitting the use of "electronic" pickle card devices, LB 659 (unlike LB 522) incorporates a requirement that a "ticket" be dispensed by the device, which, in the case of a winning ticket, must be presented to a cashier on the premises for payment. LB 659 does not, however, provide for the dispensing of a physical ticket which must be opened by the player after video display of a pickle card. In our prior opinion, we concluded that legislation authorizing the use of a video display device, but still providing for the dispensing of a physical ticket to be opened by the player (LB 723), was constitutional. The question which remains is whether the "ticket" provision contained in LB 659 is consistent with the Legislature's power to authorize "lotteries" for charitable or community betterment purposes under art. III, § 24.

In our view, the gambling activity contemplated under LB 659 does not comport with our prior opinion addressing the Legislature's power to authorize "lotteries" for charitable or community betterment purposes. We have previously concluded that art. III, § 24, prohibits the Legislature from authorizing any "game of chance," a broad term which encompasses all forms of gambling containing the elements of prize, chance, and consideration. Op. Att'y Gen. No. 95085 at 22. In construing the authority granted the Legislature in art. III, § 24, to authorize "lotteries" for charitable or community betterment purposes, we have concluded that the term "lottery" "must be interpreted in a narrower sense" than the broad, generic term "game of chance." We believe that "lotteries" for charitable or community betterment purposes which the Legislature may authorize under art. III, § 24, are limited to "schemes in which tickets or tokens are distributed or sold and prize winners either secretly predetermined or ultimately selected by some form of random drawing." ***Id.*** at 23. Accordingly, we have taken the position that the Legislature may not permit the use of "slot machines" or other "electronic gaming devices" under the constitutional grant permitting the Legislature to authorize "lotteries" for charitable or community betterment purposes. ***Id.*** at 24.

The gambling activity that LB 659 would authorize appears, in reality, to constitute an impermissible game of chance, as opposed to a permissible lottery. Previously, as noted, we concluded that use of a video display device to "read" a pickle card ticket, but which actually dispensed a ticket which the player was required to open, was consistent with the type of "lottery" permitted under art. III, § 24. Op. Att'y Gen. No. 97013 at 8. We viewed the video display of the contents of the ticket as a "form of technological aid or enhancement to play, with the physical card or ticket remaining as an element of the lottery." In contrast, the "electronic pickle card devices" proposed in LB 659 do not merely "read" pickle card tickets; in actuality, the devices essentially replace pickle card tickets. Players do not actually "play" pickle card tickets when using these devices; rather, the gambling is conducted solely by play of the electronic device. While the bill purports to provide that winning "tickets" are produced as a result of play of the device, it is apparent that these so-called tickets are nothing more than receipts entitling a player to receive payment. The "ticket" dispensed by the device is not utilized to play the purported "lottery."

The Legislature's power to define terms is limited because the Legislature may not, under the guise of definition: (1) abrogate or contradict an express constitutional provision; or (2) establish a definition which is unreasonable or arbitrary. ***See Natural Gas Pipeline Co. v. State Bd. Of Equal.***, 237 Neb. 357, 466 N.W.2d 461 (1991) (Grant, J., concurring); ***State ex rel. Meyer v. Peters***, 191 Neb. 330, 215 N.W.2d 520 (1974). Moreover, "[t]he Legislature may not circumvent an express provision of the Constitution by doing indirectly what it may not do directly." ***Haman v. Marsh***, 237 Neb. 699, 708, 467 N.W.2d 836, 844 (1991). We believe that the "electronic pickle card dispensing device" proposed under LB 659 does not constitute a permissible "lottery" under art. III, § 24, because play or participation is not truly based on a "ticket," but, rather, on the operation of the electronic device, which determines the winner. In actuality, the term "electronic pickle card dispensing device" is a misnomer, because the device does not, in fact, "dispense" a pickle card. In essence, the devices that would be authorized under LB 659 operate as electronic gambling devices of the type which we have previously concluded cannot be authorized by the Legislature based on the prohibition against "games of chance" under art. III, § 24. It is therefore our opinion that the Legislature may not, as part of a lawful form of pickle card lottery, authorize use of "electronic pickle card dispensing devices" as proposed in LB 659.[2]

II LB 560 - "ELECTRONIC" KENO

In Op. Att'y Gen. No. 97013, we addressed the validity of proposed amendments to the County and City Lottery Act intended to "permit the use of electronic means to replace the paper ticket requirement which the player currently uses to select his or her numbers, to allow the player to activate the number selection device, [and] to remove the time limits on use of electronic devices. . . .' " ***Id.*** at 9. We concluded as follows:

> [I]t is our opinion that the 'electronic' keno proposed . . . does not constitute a form of 'lottery' which the Legislature may authorize under art. III, § 24. The bill proposes to eliminate the current 'paper ticket' requirement, which, of course, is one part of the definition of [a constitutionally permissible lottery]. Of greater significance, however, is the elimination of the 'player-activation' restriction . . . We cannot accept the premise that elimination of the 'player-activation' provision does not 'change the essential nature' of the activity. While it is true that a computer or electronic device may be used to select winning numbers under current law, we believe it is significant that these devices are not activated by the players, but, rather, are used by the keno operator. The concept of individual players activating gambling devices utilizing random-generation of numbers to determine winners at each device is, in our view, inconsistent with what we believe is the narrow manner in which the people, through their Constitution, intended to grant the Legislature power to permit 'lotteries' for community betterment purposes.

Id. at 12-13.

LB 560 proposes to amend the definition of "lottery" permitted under the Nebraska County and City Lottery Act to include keno based on a player's selection of numbers on a paper ticket or a "magnetically recorded ticket." LB 560, § 1. The bill does not, however, define the term "magnetically recorded ticket," nor does it otherwise attempt to explain the manner in which such "magnetically recorded ticket[s]" would be utilized as a permissible form of keno. Absent any such clarification, it is impossible for us to attempt to render an opinion as to the constitutionality of LB 560. To the extent that the bill is intended to authorize a form of electronic keno such as that proposed under former LB 522, we adhere to our prior opinion finding that such legislation was contrary to art. III, § 24. Op. Att'y Gen. No. 97013 at 9-13. Absent additional information regarding the proposed operation of the form of keno proposed under LB 560, we cannot provide further guidance as to the constitutionality of the bill.

[1] We have addressed questions regarding the Legislature's power to permit "electronic" or "video" gambling devices on several occasions. ***See*** Op. Att'y Gen. No. 95085 (November 8, 1995); Op. Att'y Gen. No. 96007 (January 23, 1996); Op. Att'y Gen. No. 97013 (February 18, 1997).

[2] Subsequent to receipt of your request, LB 659 was placed on Select File with E & R Amendments. AM 7190. We have reviewed the changes made by AM7190, and conclude that they do not alter our conclusion regarding the constitutionality of the so-called "electronic pickle card dispensing devices."

Sincerely,
DON STENBERG
Attorney General
(Signed) L. Jay Bartel
Assistant Attorney General

pc: Patrick O'Donnell, Clerk of the Legislature
07-96-18

STANDING COMMITTEE REPORTS
General Affairs

LEGISLATIVE BILL 1423. Placed on General File.

LEGISLATIVE BILL 1241. Placed on General File as amended.
Standing Committee amendment to LB 1241:
AM2421

1. Strike original sections 1 to 4 and insert the following new sections:

"Section 1. Section 9-1,101, Reissue Revised Statutes of Nebraska, is amended to read:

9-1,101. (1) The Nebraska Bingo Act, the Nebraska County and City Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section 9-701 shall be administered and enforced by the Charitable Gaming Division of the Department of Revenue, which division is hereby created. The Department of Revenue shall make annual reports to the Governor, Legislature, Auditor of Public Accounts, and Attorney General on all tax revenue received, expenses incurred, and other activities relating to the administration and enforcement of such acts.

(2) The Charitable Gaming Operations Fund is hereby created. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(3) Forty percent of the taxes collected pursuant to sections 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable Gaming Division for administering and enforcing the acts listed in subsection (1) of this section and section 81-8,128. The remaining sixty percent~~,~~ ~~along with any portion of the forty percent not used by the division in its administration and enforcement of such acts or section 81-8,128,~~ shall be transferred to the General Fund. Any portion of the forty percent not used by the division in the administration and enforcement of such acts and

section shall be transferred to the Compulsive Gamblers Assistance Fund.

(4) The Tax Commissioner shall employ investigators who shall be vested with the authority and power of a law enforcement officer to carry out the laws of this state administered by the Tax Commissioner or the Department of Revenue.

(5) The Charitable Gaming Division may charge a fee for publications and listings it produces. The fee shall not exceed the cost of publication and distribution of such items. The division may also charge a fee for making a copy of any record in its possession equal to the actual cost per page. The division shall remit the fees to the State Treasurer for credit to the Charitable Gaming Operations Fund.

Sec. 2. Section 9-812, Revised Statutes Supplement, 1999, is amended to read:

9-812. (1) All money received from the operation of lottery games conducted pursuant to the State Lottery Act in Nebraska shall be deposited in the State Lottery Operation Trust Fund, which fund is hereby created. All payments of expenses of the operation of the lottery games shall be made from the State Lottery Operation Cash Fund. In accordance with legislative appropriations, money for payments for expenses of the division shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Operation Cash Fund, which fund is hereby created. All money necessary for the payment of lottery prizes shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Prize Trust Fund, which fund is hereby created. The amount used for the payment of lottery prizes shall not be less than forty percent of the dollar amount of the lottery tickets which have been sold. At least twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund. ~~Forty-nine~~ Of the money available to be transferred to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund, the first five hundred thousand dollars shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in sections 83-162.01 to 83-162.04. Thereafter, forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Education Innovation Fund. Forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act. One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in sections 83-162.01 to 83-162.04.

(2) The Education Innovation Fund is hereby created. Each fiscal year beginning with fiscal year 1994-95, at least seventy-five percent of the lottery proceeds allocated to the Education Innovation Fund shall be available for disbursement. The Education Innovation Fund shall be allocated in the following manner: Up to ten percent to fund the mentor teacher program pursuant to the Quality Education Accountability Act; up to seventy percent as quality education incentives pursuant to the act; and up to twenty percent of the fund shall be allocated by the Governor through incentive grants to encourage the development of strategic school improvement plans by school districts for accomplishing high performance learning and to encourage schools to establish innovations in programs or practices that result in restructuring of school organization, school management, and instructional programs which bring about improvement in the quality of education. Such incentive grants allocated by the Governor are intended to provide selected school districts, teachers or groups of teachers, nonprofit educational organizations, educational service units, or cooperatives funding for the allowable costs of implementing pilot projects and model programs.

From the funds allocated by the Governor, minigrants shall be available to school districts to support the development of strategic school improvement plans which shall include statements of purposes and goals for the districts. The plans shall also include the specific statements of improvement or strategic initiatives designed to improve quality learning for every student.

In addition to the minigrants granted for the development of strategic school improvement plans, school districts with annual budget expenditures of three hundred fifty thousand dollars or less are eligible for minigrants from the funds allocated by the Governor for the purposes allowed in subdivisions (2)(a) through (q) of this section. The amount of this type of minigrant shall not exceed five thousand dollars. The school district shall present a curriculum support plan with its application for the grant. The curriculum support plan must show how the district is working to achieve one or more of the allowed purposes and how the grant will be used to directly advance the plan to achieve one or more of these purposes. The plan must be signed by the school administrator and a school board representative. The application for the grant shall be brief. The Excellence in Education Council shall select the recipients of this type of minigrant and shall administer such minigrants.

From the funds allocated by the Governor, major competitive grants shall be available to support innovative programs which are directly related to the strategic school improvement plans. The development of a strategic school improvement plan by a school district shall be required before a grant is awarded. Annual reports shall be made by program recipients documenting the effectiveness of the program in improving the quality of education as designed in the strategic school improvement plans. Special consideration shall be given to plans which contain public or private matching funds and cooperative agreements, including agreements for in-kind services. Purposes for which such major competitive grants would be offered shall include:

(a) Professional staff development programs to provide funds for teacher and administrator training and continuing education to upgrade teaching and administrative skills;

(b) The development of strategic school improvement plans by school districts;

(c) Educational technology assistance to public schools for the purchase and operation of computers, telecommunications equipment and services, and other forms of technological innovation which may enhance classroom teaching, instructional management, and districtwide administration pursuant to the state's goal of ensuring that all kindergarten through grade twelve public school districts or affiliated school systems have a direct connection to a statewide public computer information network by June 30, 2000. The telecomputing equipment and services needed to meet this goal may be funded under this subsection, sections 79-1241.01, 79-1243, and 79-1310, or any combination of such subsection and sections. Such telecommunications equipment, services, and forms of technical innovation shall be approved by the State Department of Education only after review by the technical panel created in section 86-1511;

(d) An educational accountability program to develop an educational indicators system to measure the performance and outcomes of public schools and to ensure efficiency in operations;

(e) Alternative programs for students, including underrepresented groups, at-risk students, and dropouts;

(f) Programs that demonstrate improvement of student performance against valid national and international achievement standards;

(g) Early childhood and parent education which emphasizes child development;

(h) Programs using decisionmaking models that increase involvement of parents, teachers, and students in school management;

(i) Increased involvement of the community in order to achieve increased confidence in and satisfaction with its schools;

(j) Development of magnet or model programs designed to facilitate desegregation;

(k) Programs that address family and social issues impairing the learning productivity of students;

(l) Programs enhancing critical and higher-order thinking capabilities;

(m) Programs which produce the quality of education necessary to guarantee a competitive work force;

(n) Programs designed to increase productivity of staff and students through innovative use of time;

(o) Training programs designed to benefit teachers at all levels of education by increasing their ability to work with educational technology in the classroom;

(p) Approved accelerated or differentiated curriculum programs under sections 79-1106 to 79-1108.03; and

(q) Programs for students with disabilities receiving special education under the Special Education Act and students needing support services as defined in section 79-1125.01, which programs demonstrate improved outcomes for students through emphasis on prevention and collaborative planning.

The Governor shall establish the Excellence in Education Council. The Governor shall appoint eleven members to the council including representatives of educational organizations, postsecondary educational institutions, the business community, and the general public, members of school boards and parent education associations, school administrators, and at least four teachers who are engaged in classroom teaching. The State Department of Education shall provide staff support for the council to administer the Education Innovation Fund, including the Quality Education Accountability Act. The council shall have the following powers and duties:

(i) In consultation with the State Department of Education, develop and publish criteria for the awarding of incentive grants allocated by the Governor for programs pursuant to this subsection, including minigrants;

(ii) Provide recommendations to the Governor regarding the selection of projects to be funded and the distribution and duration of project funding. For projects recommended under subdivision (2)(c) of this section, the council shall also provide recommendations to the Nebraska Information Technology Commission for its review and recommendations to the Governor;

(iii) Establish standards, formats, procedures, and timelines for the successful implementation of approved programs funded by incentive grants allocated by the Governor from the Education Innovation Fund;

(iv) Assist school districts in determining the effectiveness of the innovations in programs and practices and measure the subsequent degree of improvement in the quality of education;

(v) Consider the reasonable distribution of funds across the state and all classes of school districts;

(vi) Carry out its duties pursuant to the Quality Education Accountability Act; and

(vii) Provide annual reports to the Governor concerning programs funded by the fund. Each report shall include the number of applicants and approved applicants, an overview of the various programs, objectives, and anticipated outcomes, and detailed reports of the cost of each program.

To assist the council in carrying out its duties, the State Board of Education shall, in consultation with the council, adopt and promulgate rules and regulations establishing criteria, standards, and procedures regarding the selection and administration of programs funded from the Education Innovation Fund, including the Quality Education Accountability Act.

(3) Recipients of incentive grants allocated by the Governor from the Education Innovation Fund shall be required to provide, upon request, such data relating to the funded programs and initiatives as the Governor deems necessary.

(4) Any money in the State Lottery Operation Trust Fund, the State Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the Education Innovation Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(5) Unclaimed prize money on a winning lottery ticket shall be retained for a period of time prescribed by rules and regulations. If no claim is made within such period, the prize money shall be used at the discretion of the Tax Commissioner for any of the purposes prescribed in this section.

Sec. 3. Section 83-162.04, Reissue Revised Statutes of Nebraska, is amended to read:

83-162.04. The Compulsive Gamblers Assistance Fund is created. The division shall administer the fund for the treatment of compulsive gamblers as recommended by the commission and shall spend no more than ~~fifty thousand dollars~~ ten percent of the money appropriated to the fund for administrative costs. In addition to money transferred to the fund from the State Lottery Operation Trust Fund under section 9-812 and the Charitable Gaming Operations Fund under sections 9-1,101 and 83-162.06, the department is authorized to accept for deposit in the Compulsive Gamblers Assistance Fund funds, donations, gifts, devises, or bequests from any federal, state, local, public, or private source to be used by the division in the exercise of this authority under and in the performance of its duties in carrying out the provisions of the Alcoholism, Drug Abuse, and Addiction Services Act which relate to compulsive gambling. The Director of Administrative Services shall draw warrants upon the Compulsive Gamblers Assistance Fund upon the presentation of proper vouchers by the division. Money from the Compulsive Gamblers Assistance Fund shall be used exclusively for the purpose of providing assistance to agencies, groups, organizations, and individuals that provide education, assistance, and counseling to individuals and families experiencing difficulty as a result of problem or pathological gambling, to promote the awareness of gamblers assistance programs, and to pay the costs and expenses of the division and the commission with regard to compulsive gambling. Neither the director of the division nor the division shall provide any direct services to problem or pathological gamblers or their families. Funds appropriated from the Compulsive Gamblers Assistance Fund shall not be granted or loaned to or administered by any of the mental health regional governing boards created pursuant to the Nebraska Comprehensive Community Mental Health Services Act unless the mental health region is a direct provider of services dealing with the treatment of compulsive gambling. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 4. Section 83-162.06, Reissue Revised Statutes of Nebraska, is amended to read:

83-162.06. It is the intent of the Legislature to appropriate to the Compulsive Gamblers Assistance Fund from the Charitable Gaming Operations Fund two hundred fifty thousand dollars on July 1 of each year for fiscal years 1997-98, 1998-99, and 1999-2000. For fiscal year 2000-01 and each fiscal year thereafter, it is the intent of the Legislature ~~to appropriate one million dollars~~ that, on June 30 of each fiscal year, the money remaining in the Charitable Gaming Operations Fund not used by the Charitable Gaming Division in its administration and enforcement duties pursuant to section 9-1,101 shall be transferred to the Compulsive Gamblers Assistance Fund. ~~from the Charitable Gaming Operations Fund if the need for such funds is demonstrated to the Legislature.~~".

LEGISLATIVE BILL 913. Indefinitely postponed.
LEGISLATIVE BILL 1087. Indefinitely postponed.

(Signed) Ray Janssen, Chairperson

Health and Human Services

LEGISLATIVE BILL 1211. Placed on General File as amended.
Standing Committee amendment to LB 1211:
AM2534

1. On page 3, line 11, after the period insert "The Department of Health and Human Services shall oversee the task force and its activities.".

(Signed) Jim Jensen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1107. Title read. Considered.

Senator Wickersham renewed his pending amendment, AM2463, found on page 747.

Pending.

LEGISLATIVE BILL 1192. Title read. Considered.

The Standing Committee amendment, AM2262, found on page 560, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1285. Title read. Considered.

Pending.

MOTION - Place LB 1394 on General File

Senator Beutler renewed his pending motion, found on page 795, to place LB 1394 on General File notwithstanding the action of the committee.

SPEAKER KRISTENSEN PRESIDING

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler withdrew his motion to place LB 1394 on General File.

AMENDMENTS - Print in Journal

Senator Bromm filed the following amendment to LB 1285:
AM2456

(Amendments to Standing Committee amendments, AM2358)

1. Insert the following new sections:

"Sec. 4. Section 75-606, Reissue Revised Statutes of Nebraska, is amended to read:

75-606. The commission may revoke or suspend the certificate of convenience of any violator of section 75-605. Any person who violates any provision of such section shall be guilty of a Class V misdemeanor. The commission shall enforce such section, and the Attorney General or any county attorney shall, upon request of the commission, assist in the prosecution of any violations of such section. In addition, the commission may administratively fine pursuant to section 75-156 any person who violates section 75-605.

Sec. 5. Section 75-610, Reissue Revised Statutes of Nebraska, is amended to read:

75-610. Any telephone carrier or its agent who fails or neglects to comply with sections 75-607 to 75-609.01 or who violates any of the provisions of such sections shall be guilty of a Class IV misdemeanor. In addition, the commission may administratively fine pursuant to section 75-156 any such carrier or agent who violates sections 75-607 to 75-609.01.

Sec. 6. The commission may administratively fine pursuant to section 75-156 any person who violates sections 75-611 to 75-616.

Sec. 8. Section 86-811, Reissue Revised Statutes of Nebraska, is amended to read:

86-811. (1) If any telecommunications company violates any provision of sections 75-109, 75-604, 75-609, and 75-609.01 or 86-801 to 86-810, any interested person may petition the district court of the county in which such alleged violation has occurred. If it appears to the court, after a hearing, that a provision of such sections has been violated, the court may issue an injunction or other proper process to restrain the telecommunications company and its directors, officers, employees, or agents from continuing such violation and may order additional relief. Any party to the case shall have the right to appeal the decision of the district court to the Court of Appeals under the rules provided by law for appeals in civil cases.

(2) In addition, the commission may administratively fine pursuant to section 75-156 any person who violates sections 86-801 to 86-810.

Sec. 9. Section 86-1005, Reissue Revised Statutes of Nebraska, is amended to read:

86-1005. (1) The amount of service surcharges collected in one calendar quarter by a service supplier shall be remitted to the governing body no later than sixty days after the close of that calendar quarter. At the time of the remittance, the service supplier shall file a return for the remittance with the governing body in such form as the governing body and the service supplier agree upon. The service supplier shall maintain a record of the amount of service surcharges collected. The record shall be maintained for a period of one year after the date the amount was billed. A governing body may at its own expense require an annual audit of a service supplier's books and records concerning the collection and remittance of a service surcharge.

(2) Each service supplier shall report to the Public Service Commission for each of its exchanges (a) whether 911 service or E-911 service is provided in that exchange, (b) the level of the surcharge, (c) the location of the public safety answering point, (d) whether the governing body belongs to an

interlocal agreement or other agreement with another governing body and, if so, the name of the other governing body, and (e) the amount of revenue collected by the surcharge.

The initial report shall be due April 30, 1994, for calendar year 1993 and subsequent reports shall be due no later than April 30 of each year. The report period shall be the preceding calendar year.

(3) The commission shall compile and place the information from such reports required in subsection (2) of this section into its annual telecommunications report to the Legislature, including the availability and location of 911 service and E-911 service in the State of Nebraska.

(4) The commission shall adopt and promulgate rules and regulations to carry out subsections (2) and (3) of this section.

(5) The commission may administratively fine pursuant to section 75-156 any person who violates sections 86-1001 to 86-1009.

Sec. 12. Section 86-1306, Reissue Revised Statutes of Nebraska, is amended to read:

86-1306. (1) The commission shall establish standards, procedures, and training specifications for the telecommunications relay system and shall supervise its operation. The system shall assure prompt and accurate relay of all messages seven days per week, twenty-four hours per day, including holidays, and shall provide at least the following services to all deaf, hard of hearing, or speech-impaired persons living in Nebraska who possess specialized telecommunications equipment: (a) Statewide instate calls with charges for long-distance calls billed to the person making the call in a manner which the commission determines will recover the cost of long-distance calls to the system; (b) out-of-state calls with charges billed to the person making the call; and (c) emergency calls. Any person using the system shall not be charged for access to the system other than charges billed for instate and out-of-state long-distance service.

(2) The commission shall establish standards and criteria and shall determine the eligibility of qualified deaf, hard of hearing, and speech-impaired persons applying for specialized telecommunications equipment, which include the following: (a) Only one person per household may be a recipient of the telecommunications equipment; (b) an applicant shall reside in a household that has telephone service; (c) a recipient of equipment may not reapply for assistance more than once every five years; and (d) a nursing home or institution resident is eligible for specialized telecommunications equipment only if he or she has personal telephone service. Applications may be approved if they meet the guidelines established by the commission. The commission shall adopt and promulgate rules and regulations necessary for implementation of the Telecommunications Relay System Act and guidelines for the specialized telecommunications equipment program. The commission may enter into contracts with other

agencies or private organizations, which may include the Commission for the Deaf and Hard of Hearing, to operate the telecommunications relay system and the specialized telecommunications equipment program.

(3) The commission may administratively fine pursuant to section 75-156 any person who violates the act.".

2. On page 14, line 22, before "The" insert "(1)".

3. On page 15, after line 22, insert the following:

"(2) The commission may administratively fine pursuant to section 75-156 any person who violates the Telecommunications Relay System Act."; in line 23 after "75-156," insert "75-606, 75-610,"; and in line 24 after "86-803," insert "86-811, 86-1005," and after "86-1222," insert "86-1306,".

4. Renumber the remaining sections accordingly.

Senator Coordsen filed the following amendment to LB 628:
AM2566

(Amendments to AM2492)

1. On page 2, strike beginning with "the" in line 10 through the comma in line 12 and insert "for photocopies, the actual cost of making the copies available shall not exceed the amount of the reasonably calculated actual cost of the photocopies,".

Senator Coordsen filed the following amendment to LB 628:
AM2577

(Amendments to AM2492)

1. insert the following new section:

"Sec. 2. Section 84-712.01, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.01. (1) Except when any other statute expressly provides that particular information or records shall not be made public, public records shall include all records and documents, regardless of physical form, of or belonging to this state, any county, city, village, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form shall remain a public record when maintained in computer files.

(2) When a custodian of a public record of a county ~~which has a population of one hundred thousand inhabitants or more as determined by the most recent federal decennial census~~ provides to a member of the public, upon request, a copy of the public record by transmitting it from a modem to an outside modem, a reasonable fee may be charged for such specialized service. Such fee may include a reasonable amount representing a portion of the amortization of the cost of computer equipment, including software, necessarily added in order to provide such specialized service. This subsection shall not be construed to require a governmental

entity to acquire computer capability to generate public records in a new or different form when that new form would require additional computer equipment or software not already possessed by the governmental entity.

(3) Sections 84-712 to 84-712.03 shall be liberally construed whenever any state, county, or political subdivision fiscal records, audit, warrant, voucher, invoice, purchase order, requisition, payroll, check, receipt, or other record of receipt, cash, or expenditure involving public funds is involved in order that the citizens of this state shall have the full right to know of and have full access to information on the public finances of the government and the public bodies and entities created to serve them.".

2. On page 5, line 10, before "and" insert ", 84-712.01,".

3. Renumber the remaining sections accordingly.

Senator Quandahl filed the following amendment to LB 1116:
AM2563

1. Insert the following new sections:

"Sec. 2. A city of the metropolitan class may adopt biennial budgets for biennial periods if such budgets are provided for by a city charter provision. For purposes of this section:

(1) Biennial budget means a budget that provides for a biennial period to determine and carry on the city's financial and taxing affairs; and

(2) Biennial period means the two fiscal years comprising a biennium commencing in odd-numbered years.

Sec. 10. Section 14-501, Reissue Revised Statutes of Nebraska, is amended to read:

14-501. The city council shall annually or biennially and within the first week of January, if possible, appropriate money and credits of the city in such amounts as may be deemed necessary and proper and set the same aside to the following designated funds to be known as statutory funds: (1) For the fire department of the city, (2) for the police department of the city, (3) for the health department of the city, (4) for the public library, (5) for the purposes of the welfare board, and (6) for the purpose of paying judgments and costs. The amounts so appropriated and set aside to such funds respectively shall be the maximum amounts that may be appropriated to or expended from such funds within the fiscal year or biennial period for the purposes for which such funds respectively are created.

Sec. 11. Section 14-502, Reissue Revised Statutes of Nebraska, is amended to read:

14-502. The city council shall at the same time appropriate, from the remaining amount of tax levy of such year and from revenue to be derived from all other sources available for such purposes, money and credits of the city and set the same aside to funds to be designated department funds. The department funds shall be of the same number and of the same designation as the departments into which the government of the city is divided for administration under the commission form of government. The amount so appropriated and set aside to each of ~~said~~ the funds respectively shall be an amount deemed sufficient and necessary to take care of the expenses in such department for the fiscal year or biennial period for which the appropriation is made. The amount thus appropriated to each of such departments respectively may be divided and subdivided for the purpose of expenditure as the council may direct, but shall be the maximum amount which may be appropriated to any such department for the fiscal year or biennial period, or which may be expended for the purpose of such department for the fiscal year or biennial period. Any transfer of duties or burdens of one department to another, after an appropriation has been made, shall carry with it a just and equitable pro rata proportion of the appropriation. The amounts so appropriated to the several department funds shall be used only for the purpose of paying the expenses and liabilities for which appropriated. The city council shall, at the time of the ~~annual~~ appropriation, estimate the total credits available from taxes levied and other sources for municipal purposes for the fiscal year or biennial period, and the amount remaining after deducting therefrom the amounts appropriated for statutory and department funds shall be the miscellaneous expense fund. The money and credits in the miscellaneous expense fund may be used from time to time to pay the miscellaneous expenses and obligations of the city for which an appropriation has not been made or which are not properly included within the purposes of the appropriation to any of the other funds.

Sec. 12. Section 14-503, Reissue Revised Statutes of Nebraska, is amended to read:

14-503. The balances remaining in any of the funds created by ~~the provisions of~~ sections 14-501 and 14-502 and against which lawful obligations have not been created shall at the expiration of each fiscal year or biennial period be transferred to the general sinking fund of the city by the department of accounts and finances.

Sec. 13. Section 14-504, Reissue Revised Statutes of Nebraska, is amended to read:

14-504. As soon as the ~~annual~~ apportionment of funds has been made, the department of accounts and finances shall open an account with each such fund authorized to be established by sections 14-501 and 14-502~~,~~ and shall place a credit to each such fund of ninety percent of the tax levy apportioned to it. Thereafter ~~said~~ the department shall credit such funds pro rata with money coming to the city from taxation and other sources which are applicable to current expense purposes until all such credits shall equal one hundred percent of such apportionment. The foregoing pro rata credits in excess of ninety percent shall not apply to the miscellaneous expense fund, but the miscellaneous expense fund shall be credited with all money collected and applicable to current expense purposes after the other funds have received the full one hundred percent of their appropriation.

Sec. 14. Section 14-512, Revised Statutes Supplement, 1999, is amended to read:

14-512. The council shall provide and maintain a sinking fund for the payment of the general bonds of the city and the interest thereon. Such sinking fund shall be maintained from the following sources of revenue: (1) Amounts raised by taxation for that purpose; (2) balances transferred at the end of each fiscal year or biennial period from the several funds provided for in sections 14-501 and 14-502; and (3) such other amounts and sums as may be transferred thereto by the council. Money and credits in the sinking fund shall be held inviolate, shall not be transferred to any other fund, and shall be used for the purpose of paying (a) the interest on the general bonds of the city, (b) maturing bonds of the city, and (c) bonds of the city which may be paid before maturity. The money and credits thereof when not used or needed for the purposes specified in this section may temporarily be invested in registered general warrants of the city or of the school district situated within the city under such conditions as will enable the same to be obtained and available at any time desired for the purposes specified in this section.".

2. On page 9, line 14, after "primary" insert "or metropolitan".

3. On page 15, line 21, after the first comma insert "14-501, 14-502, 14-504,"; and in line 23 strike "and 13-511" and insert "13-511, and 14-512".

4. Renumber the remaining sections accordingly.

STANDING COMMITTEE REPORTS
Banking, Commerce and Insurance

LEGISLATIVE BILL 1271. Placed on General File as amended. (Standing Committee amendment, AM2550, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) David M. Landis, Chairperson

Health and Human Services

LEGISLATIVE BILL 1408. Placed on General File.

LEGISLATIVE BILL 1101. Placed on General File as amended.
Standing Committee amendment to LB 1101:
AM2473

1. Strike original section 10.

2. On page 4, line 13, after the comma insert "liability insurance,"; and in line 14 after "stipend" insert "in an amount to be set by the department".

LEGISLATIVE BILL 1388. Indefinitely postponed.

(Signed) Jim Jensen, Chairperson

Education

LEGISLATIVE BILL 1379. Placed on General File.

(Signed) Ardyce L. Bohlke, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills and resolution were correctly engrossed: LBs 74, 692, and LR 20CA.

Enrollment and Review Change to LB 692

The following changes, required to be reported for publication in the Journal, have been made:
ER9117

1. In the Vrtiska amendment, AM2316, on page 2, line 2, "to" has been struck and the second comma has been struck; in line 10 the comma has been struck; in line 22 an underscored comma has been inserted after "fund"; and in line 25 the comma has been struck and shown as stricken.

2. On page 1, the matter beginning with "the" in line 1 through line 8 has been struck and "government; to amend sections 2-3328, 2-3331, 14-2145, 14-2146, 23-905, 23-1608, 23-1609, 29-752, 72-417, and 84-304.03, Reissue Revised Statutes of Nebraska, and section 49-617, Revised Statutes Supplement, 1999; to change and eliminate powers and duties of the Auditor of Public Accounts; to provide, change, and eliminate powers and duties relating to audits and audit reports; to change provisions relating to distribution of statute books and standards for auditors; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-3329, 23-1610, 23-1613, 23-1614, and 84-301, Reissue Revised Statutes of Nebraska." inserted.

3. On page 6, line 20, the new matter has been struck and the stricken matter reinstated.

Enrollment and Review Change to LR 20CA

The following changes, required to be reported for publication in the Journal, have been made:

ER9118

1. On page 2, line 1, the single quote marks have been struck.

(Signed) Adrian M. Smith, Chairperson

MOTION - Print in Journal

Senator Chambers filed the following motion to LB 510:
That LB 510 becomes law notwithstanding the objections of the Governor.

UNANIMOUS CONSENT - Add Cointroducers

Senator Wickersham asked unanimous consent to have his name added as cointroducer to LB 358. No objections. So ordered.

Senator Schimek asked unanimous consent to have her name added as cointroducer to LB 717. No objections. So ordered.

Senator Preister asked unanimous consent to have his name added as cointroducer to LB 1107 and LB 1135. No objections. So ordered.

VISITORS

Visitors to the Chamber were 11 fourth grade students and teacher from Northern Hill Elementary, Norfolk; 24 ninth through twelfth grade students and teacher from Mercy High School, Omaha; and fifth grade students and teachers from Hershey Public School.

The Doctor of the Day was Dr. Jim Long from Alma.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator Suttle, the Legislature adjourned until 9:00 a.m., Tuesday, February 29, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-FIFTH DAY - FEBRUARY 29, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 29, 2000

PRAYER

The prayer was offered by Pastor Ed Anderson, Good Shepherd Baptist Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Coordsen and Robak who were excused; and Senators Brashear, Bromm, Brown, Kiel, and Landis who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fourth day was approved.

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 1352. Placed on General File as amended.
Standing Committee amendment to LB 1352:
AM2535

1. Strike the original sections and insert the following new sections:

"Section 1. (1) The Electronic Benefit System Task Force is established.

(2) The task force shall provide recommendations and assistance to the Department of Health and Human Services and the Policy Cabinet during and following the development and implementation of an electronic benefit system as permitted in section 68-1725 and shall monitor the development and implementation of such system. The task force shall specifically provide recommendations and assistance relating to, but not limited

to, the development of policies for implementation of electronic benefit transfers, determination of costs and savings realized by implementation of electronic benefit transfers, and vendor criteria and selection.

(3) The task force shall include the following members:

(a) The State Treasurer or his or her designee;

(b) The Director of Administrative Services or his or her designee;

(c) The Director of Banking and Finance or his or her designee;

(d) The Director of Health and Human Services or his or her designee;

(e) The executive director of the Nebraska Grocery Industry Association or his or her designee;

(f) The president of the Nebraska Electronic Transfer System, Inc. or his or her designee;

(g) One representative of the banking industry appointed by the Governor;

(h) Two representatives of the retail grocery industry appointed by the Governor. The representatives shall be chosen so as to be representative of different sizes of grocery stores;

(i) Three persons appointed by the Governor who are currently receiving public assistance or representing organizations that advocate for such persons;

(j) The chairperson of the Health and Human Services Committee of the Legislature; and

(k) One member of the Legislature appointed by the chairperson of the Executive Board of the Legislative Council.

(4) All appointments of the task force shall be made no later than May 1, 2000. Members of the task force shall elect a chairperson and a vice-chairperson. Members of the task force shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177. The task force shall meet at least quarterly during the development and implementation of the electronic benefit system and shall meet only quarterly thereafter. A majority of the members shall constitute a quorum at all meetings. Action by the task force on any item shall require a majority vote of all members present at meetings at which there is a quorum.

(5) By December 1, the State Treasurer shall prepare an annual report of any findings and recommendations of the task force and progress of the development and implementation of the electronic benefit system and shall provide such report to the Governor and the Legislature.

(6) The task force and this section shall terminate on January 1, 2004.

Sec. 2. Section 68-1708, Revised Statutes Supplement, 1998, is amended to read:

68-1708. Sections 68-1708 to 68-1734 and section 1 of this act shall be known and may be cited as the Welfare Reform Act.

Sec. 3. Original section 68-1708, Revised Statutes Supplement, 1998, is repealed.

Sec. 4. Since an emergency exists, this act takes effect when passed and approved according to law.".

The Health and Human Services Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

State Board of Health
Samuel Augustine
Jeffrey Akerson
James Schiefen
David Hoover

Health and Human Services System Partnership Council
Stacie Bleicher
Peter Tulipana

VOTE: Aye: Senators Jensen, Byars, Suttle, Tyson, Price, and Dickey. Nay: None. Absent: Senator Thompson.

(Signed) Jim Jensen, Chairperson

COMMUNICATION

February 29, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 729, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

MOTIONS - Approve Appointments

Senator Stuhr moved the adoption of the report of the Nebraska Retirement Systems Committee for the following appointments found on page 803:

Nebraska Investment Council – Greg Stine; and Public Employees Retirement Systems Board - Rick Black and Daniel Contonis.

Senator Stuhr requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Stuhr moved the adoption of the report of the Nebraska Retirement Systems Committee for the following appointment found on page 803: Nebraska Investment Council – Greg Stine.

Voting in the affirmative, 37:

Aguilar	Baker	Bohlke	Bourne	Bruning
Byars	Connealy	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hudkins	Janssen
Jones	Kremer	Kristensen	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 1:

Chambers

Present and not voting, 4:

Beutler	Hilgert	Jensen	Lynch

Excused and not voting, 7:

Brashear	Bromm	Brown	Coordsen	Kiel
Landis	Robak			

The appointment was confirmed with 37 ayes, 1 nay, 4 present and not voting, and 7 excused and not voting.

The second division is as follows:
Senator Stuhr moved the adoption of the report of the Nebraska Retirement Systems Committee for the following appointments found on page 803: Public Employees Retirement Systems Board - Rick Black and Daniel Contonis.

Voting in the affirmative, 38:

Aguilar	Baker	Bourne	Brashear	Bruning

Byars Connealy Crosby Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jones Kremer Kristensen Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 4:

Beutler Bohlke Cudaback Jensen

Excused and not voting, 6:

Bromm Brown Coordsen Kiel Landis
Robak

The appointments were confirmed with 38 ayes, 1 nay, 4 present and not voting, and 6 excused and not voting.

Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointment found on page 804: Nebraska State Emergency Response Commission - Rick Kuckkahn.

Voting in the affirmative, 35:

Aguilar Baker Bourne Brashear Bruning
Byars Connealy Crosby Cudaback Dickey
Engel Hartnett Hilgert Hudkins Janssen
Jones Kremer Kristensen Pedersen, Dw. Preister
Price Quandahl Raikes Redfield Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 7:

Beutler Bohlke Dierks Jensen Lynch
Matzke Pederson, D.

Excused and not voting, 6:

Bromm Brown Coordsen Kiel Landis
Robak

The appointment was confirmed with 35 ayes, 1 nay, 7 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1107. The Wickersham pending amendment, AM2463, found on page 747 and considered on page 833, was renewed.

Senators Bruning and Connealy asked unanimous consent to be excused until they return. No objections. So ordered.

The Wickersham amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

SENATOR CUDABACK PRESIDING

Senators Brashear and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Wehrbein asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 28 ayes, 4 nays, 11 present and not voting, and 6 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 309. Introduced by Preister, 5.

WHEREAS, as the career exploration process begins, we have a responsibility of supplying comprehensive and relevant information to our Nebraska high school students to help them in determining important educational and vocational goals; and

WHEREAS, the United States Department of Defense develops and administers the Armed Services Vocational Aptitude Battery (ASVAB) to access capabilities of young people about to enter the military; and

WHEREAS, the Department of Defense also offers the ASVAB to high schools throughout the State of Nebraska, at no cost to the schools or students and without military obligation, providing one of the best and most widely used vocational aptitude indexes in the country; and

WHEREAS, the current ASVAB 18/19 Career Exploration Program contains comprehensive career exploration materials which are easily integrated into schools' career guidance programs; and

WHEREAS, the accompanying Exploring Careers Workbook teaches students a comprehensive way to explore careers, whereby they can match their ASVAB scores, along with interest results and personal preferences, to a wide-range of over two hundred civilian and military occupations. A component of this workbook is an interest inventory which is provided free to every student taking the ASVAB; and

WHEREAS, over twelve thousand students from about eighty-five percent of the high schools in Nebraska participate in the ASVAB 18/19 Career Exploration Program each year.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognize March 8, 2000, as Armed Services Vocational Aptitude Battery (ASVAB 18/19) Career Exploration Program Day.

Laid over.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1346A. Introduced by Hartnett, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1346, Ninety-sixth Legislature, Second Session, 2000.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following appointment:

Scudder, Earl – Coordinating Commission for Postsecondary Education -- Education

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARING
Natural Resources

LR 304 Wednesday, March 8, 2000 8:30 a.m.

(Signed) Edward J. Schrock, Chairperson

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 1205. Placed on General File.
LEGISLATIVE BILL 1386. Placed on General File.

LEGISLATIVE BILL 655. Placed on General File as amended.
Standing Committee amendment to LB 655:
AM2476

1. Strike the original sections and insert the following new sections:

"Section 1. Section 81-1401, Reissue Revised Statutes of Nebraska, is amended to read:

81-1401. For purposes of sections 81-1401 to 81-1414, unless the context otherwise requires:

(1) Commission means the Nebraska Commission on Law Enforcement and Criminal Justice;

(2) Council means the Nebraska Police Standards Advisory Council;

(3) Handgun means any firearm with a barrel less than sixteen inches in length or any firearm designed to be held and fired by the use of a single hand;

(4) Law enforcement agency means the police department or the town marshal in incorporated municipalities, the office of sheriff in unincorporated areas, and the Nebraska State Patrol;

(5)(a) Law enforcement officer means any person who is responsible for the prevention or detection of crime or the enforcement of the penal, traffic, or highway laws of the state or any political subdivision of the state for more than ~~one~~ three hundred hours per year and is authorized by law to make arrests and includes, but is not limited to:

(i) A full-time or part-time member of the Nebraska State Patrol;

(ii) A county sheriff;

(iii) A full-time or part-time employee of a county sheriff's office;

(iv) A full-time or part-time employee of a municipal or village police agency; or

(v) A full-time employee of an organized and paid fire department of any city of the metropolitan class who is an authorized arson investigator and whose duties consist of determining the cause, origin, and circumstances of fires or explosions while on duty in the course of an investigation; but

(b) Law enforcement officer does not include employees of the Department of Correctional Services, probation officers under the Nebraska Probation System or appointed under section 43-2,123, parole officers appointed by the Parole Administrator, employees of the Department of Property Assessment and Taxation under section 77-704, or employees of the Department of Revenue under section 77-366;

(6) Director means the director of the Nebraska Law Enforcement Training Center; and

(7) Training center means the Nebraska Law Enforcement Training Center.

Sec. 2. Original section 81-1401, Reissue Revised

Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 938. Placed on General File as amended.
Standing Committee amendment to LB 938:
AM2347

1. On page 2, line 16, after the period insert "Nothing in this subsection shall be construed to effect a reduction in the number of work release positions.".

LEGISLATIVE BILL 1296. Indefinitely postponed.

(Signed) Kermit A. Brashear, Chairperson

Appropriations

LEGISLATIVE BILL 952. Indefinitely postponed.
LEGISLATIVE BILL 978. Indefinitely postponed.
LEGISLATIVE BILL 1064. Indefinitely postponed.
LEGISLATIVE BILL 1151. Indefinitely postponed.
LEGISLATIVE BILL 1259. Indefinitely postponed.
LEGISLATIVE BILL 1326. Indefinitely postponed.

(Signed) Roger R. Wehrbein, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 715. Placed on Select File as amended.
E & R amendment to LB 715:
AM7210

1. On page 1, strike beginning with "section" in line 2 through line 4 and insert "sections 79-1007.01, 79-1025, and 79-1032, Revised Statutes Supplement, 1998, and sections 79-1001, 79-1007.02, 79-1008.01, 79-1009, 79-1026, and 79-1072.03, Revised Statutes Supplement, 1999; to change provisions relating to state aid; to define and redefine terms; to harmonize provisions; and to repeal the original sections.".

LEGISLATIVE RESOLUTION 291CA. Placed on Select File.

Correctly Engrossed

The following bill was correctly engrossed: LB 1258.

(Signed) Adrian M. Smith, Chairperson

UNANIMOUS CONSENT - Members Excused

Senators Raikes and Jones asked unanimous consent to be excused. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 930. Title read. Considered.

SENATOR CROSBY PRESIDING

The Standing Committee amendment, AM2054, found on page 327, was adopted with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 944. Title read. Considered.

Advanced to E & R for review with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 960. Title read. Considered.

Advanced to E & R for review with 25 ayes, 0 nays, 16 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 1401. Title read. Considered.

The Standing Committee amendment, AM2545, found on page 798, was considered.

Senator Suttle offered the following amendment to the Standing Committee amendment:
AM2588

(Amendments to Standing Committee amendments, AM2545)

1. On page 2, lines 5 and 6, strike "and ten cents"; in line 16 strike "district's" and insert "system's"; in line 19 strike "and"; and in line 22 before the period insert "; strike beginning with the underscored comma in line 13 through the underscored comma in line 14; and in line 16 after the period insert 'For school fiscal year 2001-02 the maximum levy for purposes of this section shall be one dollar and ten cents.'".

The Suttle amendment was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 14 present and not

voting, and 7 excused and not voting.

LEGISLATIVE BILL 1317. Title read. Considered.

The Standing Committee amendment, AM2481, printed separately and referred to on page 810, was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

AMENDMENT - Print in Journal

Senator Thompson filed the following amendment to LB 652A:
AM2556

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. There is hereby appropriated $215,460 from the General Fund and $323,190 federal funds for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 348, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated $2,882,141 from the General Fund for FY2001-02 to the Department of Health and Human Services, for Program 250, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $110,223 for FY2001-02.

Sec. 3. There is hereby appropriated $50,000 from the General Fund for FY2001-02 to the Department of Correctional Services, for Program 370, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $64,344 for FY2001-02.".

UNANIMOUS CONSENT - Add Cointroducer

Senator Aguilar asked unanimous consent to have his name added as cointroducer to LB 1331. No objections. So ordered.

VISITORS

Visitors to the Chamber were 8 ninth and tenth grade students and teachers from Elmwood-Murdock School, Murdock; 71 tenth grade students, teacher, and sponsor from South High School, Omaha; Mary Wolfe from Lincoln; students and teachers from East High School, Lincoln; high school students and sponsors from O'Neill Public Schools; 35 tenth grade students and teachers from Youth Leadership Tomorrow, Grand Island; and Marc Kaschke from Omaha.

The Doctor of the Day was Dr. Tim Ranney from Omaha.

ADJOURNMENT

At 12:00 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Wednesday, March 1, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-SIXTH DAY - MARCH 1, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 1, 2000

PRAYER

The prayer was offered by Dr. Reverend Beverly Leonard, Florence Presbyterian Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Beutler, Bohlke, Kiel, Landis, Schimek, and Schrock who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-fifth day was approved.

COMMUNICATION

Received a copy of Joint Senate Resolution 78 from the State of Vermont relating to the need for national leadership to address the high cost of medically necessary prescription drugs.

GENERAL FILE

LEGISLATIVE BILL 1285. The Standing Committee amendment, AM2358, printed separately and referred to on page 685, was considered.

Senator Bromm requested a division of the question on the Standing Committee amendment.

The Chair sustained the division of the question.

The first Standing Committee amendment is as follows:

(Amendment on file in the Clerk's Office - Room 2018 - FA301.)

Senators Wehrbein, Crosby, Brashear, Hilgert, and Hartnett asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

The first Standing Committee amendment was adopted with 26 ayes, 4 nays, 13 present and not voting, and 6 excused and not voting.

Pending.

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 1029. Placed on General File.

(Signed) Jim Jensen, Chairperson

AMENDMENTS - Print in Journal

Senator Thompson filed the following amendment to LB 1243:
AM2455

1. Insert the following new sections:

"Section 1. Section 9-812, Revised Statutes Supplement, 1999, is amended to read:

9-812. (1) All money received from the operation of lottery games conducted pursuant to the State Lottery Act in Nebraska shall be deposited in the State Lottery Operation Trust Fund, which fund is hereby created. All payments of expenses of the operation of the lottery games shall be made from the State Lottery Operation Cash Fund. In accordance with legislative appropriations, money for payments for expenses of the division shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Operation Cash Fund, which fund is hereby created. All money necessary for the payment of lottery prizes shall be transferred from the State Lottery Operation Trust Fund to the State Lottery Prize Trust Fund, which fund is hereby created. The amount used for the payment of lottery prizes shall not be less than forty percent of the dollar amount of the lottery tickets which have been sold. At least twenty-five percent of the dollar amount of the lottery tickets which have been sold on an annualized basis shall be transferred from the State Lottery Operation Trust Fund to the Education Innovation Fund, the Nebraska Environmental Trust Fund, and the Compulsive Gamblers Assistance Fund. Forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses shall be transferred to the Education Innovation Fund. Forty-nine and one-half percent of the money remaining after the payment of prizes and operating expenses shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act. One percent of the money remaining after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund to be used as provided in sections 83-162.01 to 83-162.04.

(2) The Education Innovation Fund is hereby created. Each fiscal year beginning with fiscal year 1994-95, at least seventy-five percent of the lottery proceeds allocated to the Education Innovation Fund shall be available for disbursement. The Education Innovation Fund shall be allocated in the following manner: Up to ten percent to fund the mentor teacher program pursuant to the Quality Education Accountability Act; up to seventy percent as quality education incentives pursuant to the act; and up to twenty percent of the fund shall be allocated by the Governor through incentive grants to encourage the development of strategic school improvement plans by school districts for accomplishing high performance learning and to encourage schools to establish innovations in programs or practices that result in restructuring of school organization, school management, and instructional programs which bring about improvement in the quality of education. Such incentive grants allocated by the Governor are intended to provide selected school districts, teachers or groups of teachers, nonprofit educational organizations, educational service units, or cooperatives funding for the allowable costs of implementing pilot projects and model programs.

From the funds allocated by the Governor, minigrants shall be available to school districts to support the development of strategic school improvement plans which shall include statements of purposes and goals for the districts. The plans shall also include the specific statements of improvement or strategic initiatives designed to improve quality learning for every student.

In addition to the minigrants granted for the development of strategic school improvement plans, school districts with annual budget expenditures of three hundred fifty thousand dollars or less are eligible for minigrants from the funds allocated by the Governor for the purposes allowed in subdivisions (2)(a) through (q) of this section. The amount of this type of minigrant shall not exceed five thousand dollars. The school district shall present a curriculum support plan with its application for the grant. The curriculum support plan must show how the district is working to achieve one or more of the allowed purposes and how the grant will be used to directly advance the plan to achieve one or more of these purposes. The plan must be signed by the school administrator and a school board representative. The application for the grant shall be brief. The Excellence in Education Council shall select the recipients of this type of minigrant and shall administer such minigrants.

From the funds allocated by the Governor, major competitive grants shall be available to support innovative programs which are directly related to the strategic school improvement plans. The development of a strategic school improvement plan by a school district shall be required before a grant is awarded. Annual reports shall be made by program recipients documenting the effectiveness of the program in improving the quality of education as designed in the strategic school improvement plans. Special consideration shall be given to plans which contain public or private matching funds and cooperative agreements, including agreements for in-kind services. Purposes for which such major competitive grants would be offered shall include:

(a) Professional staff development programs to provide funds for teacher and administrator training and continuing education to upgrade teaching and administrative skills;

(b) The development of strategic school improvement plans by school districts;

(c) Educational technology assistance to public schools for the purchase and operation of computers, telecommunications equipment and services, and other forms of technological innovation which may enhance classroom teaching, instructional management, and districtwide administration pursuant to the state's goal of ensuring that all kindergarten through grade twelve public school districts or affiliated school systems have a direct connection to a statewide public computer information network by June 30, 2000. The telecomputing equipment and services needed to meet this goal may be funded under this subsection, sections 79-1241.01, 79-1243, and 79-1310, or any combination of such subsection and sections. Such telecommunications equipment, services, and forms of technical innovation shall be approved by the State Department of Education only after review by the technical panel created in section 86-1511;

(d) An educational accountability program to develop an educational indicators system to measure the performance and outcomes of public schools and to ensure efficiency in operations;

(e) Alternative programs for students, including underrepresented groups, at-risk students, and dropouts;

(f) Programs that demonstrate improvement of student performance against valid national and international achievement standards;

(g) Early childhood and parent education which emphasizes child development;

(h) Programs using decisionmaking models that increase involvement of parents, teachers, and students in school management;

(i) Increased involvement of the community in order to achieve increased confidence in and satisfaction with its schools;

(j) Development of magnet or model programs designed to facilitate desegregation;

(k) Programs that address family and social issues impairing the learning productivity of students;

(l) Programs enhancing critical and higher-order thinking capabilities;

(m) Programs which produce the quality of education necessary to guarantee a competitive work force;

(n) Programs designed to increase productivity of staff and students through innovative use of time;

(o) Training programs designed to benefit teachers at all levels of education by increasing their ability to work with educational technology in the classroom;

(p) Approved accelerated or differentiated curriculum programs under sections 79-1106 to 79-1108.03; and

(q) Programs for ~~students~~ children from birth to age twenty-one years with disabilities receiving special education under the Special Education Act and ~~students~~ children from birth to age twenty-one years needing support services as defined in section 79-1125.01, which programs demonstrate improved outcomes for ~~students~~ children from birth to age twenty-one years through emphasis on prevention and collaborative planning.

The Governor shall establish the Excellence in Education Council. The Governor shall appoint eleven members to the council including representatives of educational organizations, postsecondary educational institutions, the business community, and the general public, members of school boards and parent education associations, school administrators, and at least four teachers who are engaged in classroom teaching. The State Department of Education shall provide staff support for the council to administer the Education Innovation Fund, including the Quality Education Accountability Act. The council shall have the following powers and duties:

(i) In consultation with the State Department of Education, develop and publish criteria for the awarding of incentive grants allocated by the Governor for programs pursuant to this subsection, including minigrants;

(ii) Provide recommendations to the Governor regarding the selection of projects to be funded and the distribution and duration of project funding. For projects recommended under subdivision (2)(c) of this section, the council shall also provide recommendations to the Nebraska Information Technology Commission for its review and recommendations to the Governor;

(iii) Establish standards, formats, procedures, and timelines for the successful implementation of approved programs funded by incentive grants allocated by the Governor from the Education Innovation Fund;

(iv) Assist school districts in determining the effectiveness of the innovations in programs and practices and measure the subsequent degree of improvement in the quality of education;

(v) Consider the reasonable distribution of funds across the state and all classes of school districts;

(vi) Carry out its duties pursuant to the Quality Education Accountability Act; and

(vii) Provide annual reports to the Governor concerning programs funded by the fund. Each report shall include the number of applicants and approved applicants, an overview of the various programs, objectives, and anticipated outcomes, and detailed reports of the cost of each program.

To assist the council in carrying out its duties, the State Board of Education shall, in consultation with the council, adopt and promulgate rules and regulations establishing criteria, standards, and procedures regarding the selection and administration of programs funded from the Education Innovation Fund, including the Quality Education Accountability Act.

(3) Recipients of incentive grants allocated by the Governor from the Education Innovation Fund shall be required to provide, upon request, such data relating to the funded programs and initiatives as the Governor deems necessary.

(4) Any money in the State Lottery Operation Trust Fund, the State Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, or the Education Innovation Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(5) Unclaimed prize money on a winning lottery ticket shall be retained for a period of time prescribed by rules and regulations. If no claim is made within such period, the prize money shall be used at the discretion of the Tax Commissioner for any of the purposes prescribed in this section.

Sec. 3. Section 79-1125.01, Revised Statutes Supplement, 1999, is amended to read:

79-1125.01. Support services means preventive services for those ~~students~~ children from birth to age twenty-one years and, if the child's twenty-first birthday occurs during the school year, until the end of that school year, not identified or verified as children with disabilities pursuant to sections 79-1118.01 and 79-1137 to 79-1139 but demonstrating a need for specially designed assistance in order to benefit from the school district's general education curriculum and to avoid the need for potentially expensive special education placement and services.

Sec. 4. Section 79-1142, Revised Statutes Supplement, 1999, is amended to read:

79-1142. (1) Level I services refers to services provided to children with disabilities who require an aggregate of not more than three hours per week of special education services and support services and includes all administrative, diagnostic, consultative, and vocational-adjustment counselor services. Support services means preventive services for ~~students~~ children from birth to age twenty-one years and, if the child's twenty-first birthday occurs during the school year, until the end of that school year, not identified or verified as having a disability pursuant to sections 79-1118.01 and 79-1138 but who demonstrate a need for specially designed assistance in order to benefit from the school's general education curriculum. The total allowable reimbursable cost for support services shall not exceed a percentage, established by the State Board of Education, of the school district's or approved cooperative's total allowable reimbursable cost for all special education programs and support services. The percentage established by the State Board of Education for support services shall not exceed ten percent.

(2) For special education and support services provided in each school fiscal year, the State Department of Education shall reimburse each school district in the following school fiscal year a pro rata amount determined by the State Board of Education from appropriations for special education approved by the Legislature and based on allowable excess costs for all special education programs and support services.

(3) Cooperatives of school districts or educational service units shall also be eligible for reimbursement for cooperative programs pursuant to this section if such cooperatives or educational service units have complied with the reporting and approval requirements of section 79-1155 for cooperative programs which were offered the preceding year. The payments shall be made by the State Department of Education to the school district of residence, cooperative of school districts, or educational service unit each year in a minimum of seven payments between the fifth and twentieth day of each month beginning in December. Additional payments may be made based upon additional valid claims submitted. The State Treasurer shall, between the fifth and twentieth day of each month, notify the Director of Administrative Services of the amount of funds available in the General Fund for payment purposes. The director shall, upon receiving such certification, draw warrants against funds appropriated.".

2. On page 2, line 26, strike "section" and insert "sections 9-812, 79-1125.01, 79-1142, and".

3. Renumber the remaining sections accordingly.

Senators Chambers and D. Pederson filed the following amendment to LB 1004:
(Amendment, AM2582, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

MOTION - Override Veto on LB 510

Senator Chambers renewed his pending motion, found on page 841, that LB 510 becomes law notwithstanding the objections of the Governor.

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 25:

Beutler
Bourne
Brashear
Bromm
Byars
Connealy
Cudaback
Dierks
Hilgert
Hudkins
Janssen
Kiel
Kristensen
Landis
Lynch
Pedersen, Dw.
Pederson, D.
Preister
Price
Raikes
Robak
Schmitt
Suttle
Thompson
Wickersham

Voting in the negative, 20:

Aguilar
Baker
Brown
Bruning
Crosby
Dickey
Engel
Hartnett
Jensen
Jones
Kremer
Matzke
Quandahl
Redfield
Schimek
Schrock
Smith
Stuhr
Tyson
Vrtiska

Present and not voting, 1:

Chambers

Excused and not voting, 3:

Bohlke
Coordsen
Wehrbein

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

UNANIMOUS CONSENT - Member Excused

Senator Wickersham asked unanimous consent to be excused until he returns. No objections. So ordered.

MOTION - Place LR 289CA on General File

Senators Schimek and Janssen renewed their pending motion, found on page 808, to place LR 289CA on General File pursuant to Rule 3, Section 19(b).

Senators Vrtiska and D. Pederson asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Schmitt moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Schimek moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Schimek requested a roll call vote on the Schimek-Janssen motion to place LR 289CA on General File.

Voting in the affirmative, 23:

Aguilar
Beutler
Bourne
Brashear
Bromm
Byars
Chambers
Connealy
Crosby
Cudaback
Hilgert
Janssen
Kiel
Kristensen
Landis
Lynch
Preister
Robak
Schimek
Schmitt
Schrock
Suttle
Thompson

Voting in the negative, 24:

Baker
Brown
Bruning
Coordsen
Dickey
Dierks
Engel
Hartnett
Hudkins
Jensen
Jones
Kremer
Matzke
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Smith
Stuhr
Tyson
Vrtiska
Wehrbein
Wickersham

Excused and not voting, 2:

Bohlke
Pederson, D.

The Schimek-Janssen motion to place LR 289CA on General File failed with 23 ayes, 24 nays, and 2 excused and not voting.

LR 289CA stands indefinitely postponed.

The Chair declared the call raised.

AMENDMENT - Print in Journal

Senator Stuhr filed the following amendment to LR 20CA:
AM2570

(Amendments to Final Reading copy)

1. On page 1, line 3, strike "general election in November" and insert "primary election in May".

RESOLUTION

LEGISLATIVE RESOLUTION 310. Introduced by Crosby, 29.

WHEREAS, David Frayser, an esteemed resident of Lincoln and a student at St. Peter's Catholic School, has achieved national recognition for exemplary volunteer service by receiving a 2000 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, David Frayser earned this award by giving generously of his time and energy to volunteer work; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like David who use their considerable talents and resources to serve others.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates and honors David Frayser as a recipient of a 2000 Prudential Spirit of Community Award, recognizes his outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for his continued success and happiness.

Laid over.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 900 and 900A.

Enrollment and Review Change to LB 900

The following changes, required to be reported for publication in the Journal, have been made:

ER9119

1. On page 1, line 10; and page 258, line 28, a comma has been inserted after "46-1,155".

2. On page 2, line 23, "to change provisions relating to a cost-share program;" has been inserted before the last "to".

3. On page 242, line 20, "department" has been struck, shown as

stricken, and "Department of Environmental Quality" inserted.

(Signed) Adrian M. Smith, Chairperson

WITHDRAW - Cointroducer

Senator Chambers withdrew his name as cointroducer to LB 1079.

APPRECIATION

Received note of appreciation from Susan Varner Wilkins for expressions of condolences and gratitude by the Legislature in its passage of LR 286 honoring D. B. "Woody" Varner.

VISITORS

Visitors to the Chamber were Professor Christopher Pratt and Elizabeth Hicks from Coventry University, United Kingdom, and Deb Bertrand from North Platte; 10 members of Custer County Leadership Institute; 63 fourth grade students and teacher from Lemay Elementary School, Bellevue; 45 students and teachers from Bennington Public School, Bennington; 8 fourth through eighth grade students and teachers from Brownville; 27 students, teachers, and superintendent from Santee Community Schools; 54 fourth grade students and teachers from Syracuse-Avoca-Dunbar; 18 fourth grade students and teacher from Waterloo; 23 fourth grade students and teacher from Johnson-Brock Elementary School, Brock; Elizabeth Chu, Tom Lee, and Ai-Ching Burns from Taiwan, Republic of China; 7 fourth grade students and teacher from St. Boniface Catholic School, Stuart; and 13 third and fourth grade students from Sutton Christian School, Sutton.

RECESS

At 12:07 p.m., on a motion by Senator Smith, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:31 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Beutler, Bohlke, Coordsen, Dierks, Hartnett, Kiel, Lynch, Price, Raikes, Redfield, Robak, Schmitt, Tyson, Wehrbein, and Wickersham who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1285. The second Standing Committee amendment is as follows:

FA302

1. Strike the original sections and insert the following new sections:

"Section 1. Section 75-134, Reissue Revised Statutes of Nebraska, is amended to read:

75-134. (1) A commission order entered after a hearing shall be written and shall recite ~~(1)~~ (a) a discussion of the facts of a basic or underlying nature, ~~(2)~~ (b) the ultimate facts, and ~~(3)~~ (c) the commission's reasoning or other authority relied upon by the commission.

(2) Every commission order ~~Except as otherwise provided in sections 75-121 and 75-139 and except for cease and desist orders issued pursuant to section 75-133, all commission orders~~ shall become ~~operative~~ effective ten days after the date of the mailing of a copy of the order to the parties of record ~~unless~~ except (a) when the commission prescribes a later effective date, (b) as otherwise provided in section 75-121 or 75-139, (c) as otherwise provided for cease and desist orders issued pursuant to section 75-133, or (d) for orders ~~. An order~~ entered pursuant to section 75-319 which shall be effective on the date of entry.

(3) If a party ~~of the order by the commission. Except as to rate orders provided for in section 75-139, if one of the parties~~ of record commences ~~one of the appeal proceedings provided in~~ an appeal pursuant to section 75-137, the order appealed shall ~~be in abeyance until~~ become effective on the date prescribed in subsection (2) of this section and remain in effect unless the commission, Court of Appeals, or Supreme Court issues ~~its~~ a mandate staying, reversing, or modifying the order. The commission, Court of Appeals, or Supreme Court may issue a stay if it finds that (a) the applicant is likely to prevail when the matter is finally decided, (b) without relief, the applicant will suffer irreparable injury, and (c) the grant of relief to the applicant will not substantially harm other parties to the proceedings. The commission, Court of Appeals, or Supreme Court may require the party requesting such stay to give bond in such amount and conditioned as the commission or court may direct. ~~Nothing in this section shall hold in abeyance an order authorizing the issuance of a certificate or permit, an order denying relief or authority, or an order entered pursuant to section 75-319.~~

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

The second Standing Committee amendment was adopted with 25 ayes, 1 nay, 15 present and not voting, and 8 excused and not voting.

Senator Bromm moved for a call of the house. The motion prevailed with 21 ayes, 0 nays, and 28 not voting.

Advanced to E & R for review with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

UNANIMOUS CONSENT - Members Excused

Senators Schimek, Bohlke, Redfield, and Wehrbein asked unanimous consent to be excused until they return. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 953. Title read. Considered.

The Standing Committee amendment, AM2319, found on page 607, was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

SENATOR CUDABACK PRESIDING

Senator Vrtiska offered the following amendment:
AM2578

1. On page 23, strike beginning with "by" in line 6 through "member" in line 7 and insert "as provided in subdivision (1)(a) of section 48-628".

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

The Vrtiska amendment was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

Advanced to E & R for review with 25 ayes, 0 nays, 15 present and not voting, and 9 excused and not voting.

AMENDMENT - Print in Journal

Senator Landis filed the following amendment to LB 1119:
AM2467

1. Insert the following new sections:

"Sec. 39. Section 48-146.01, Reissue Revised Statutes of Nebraska, is amended to read:

48-146.01. (1) For purposes of this section:

(a) Assigned risk employer means a Nebraska employer that is in good faith entitled to, but is unable to obtain, workers' compensation insurance through ordinary methods. Assigned risk employer does not include an employer who is in default on workers' compensation premiums, who has failed to reimburse an insurer for amounts to be repaid pursuant to workers' compensation insurance written on a policy with a deductible, who has failed to provide an insurer reasonable access to books and records necessary for a premium audit, or who has defrauded or attempted to defraud an insurer; and

(b) Director means the Director of Insurance.

(2)(a) The director, ~~The Director of Insurance,~~ after consultation with ~~carriers~~ insurers authorized to issue workers' compensation insurance policies in this state, shall put into effect a reasonable system to guarantee that each assigned risk employer shall be covered by workers' compensation insurance covering its employees subject to the Nebraska Workers' Compensation Act following the assigned risk employer's application to the assigned risk plan and tender of the required premium.

(b) The director shall enter into an agreement with one or more workers' compensation insurers to provide workers' compensation insurance to assigned risk employers. In selecting an insurer to become an assigned risk insurer, the director shall consider the cost of coverage to assigned risk employers, the loss control and claims handling services available from the workers' compensation insurer, the financial condition of the workers' compensation insurer, and any other relevant factors. An agreement entered into under this subsection may not exceed five years.

(c) If the director determines that the cost of workers' compensation insurance premiums for an insurer to provide assigned risk coverage pursuant to such an agreement would be unreasonably high, the director may enter into an agreement in which the assigned risk insurer covers a portion of the losses incurred by the assigned risk employer. Any agreement that involves an average rate level of less than two and one-half times the prospective loss costs approved for an advisory organization pursuant to section 44-5020 shall not be considered unreasonably high for the purposes of this section. Pursuant to any such agreement, remaining losses shall be assessed against all workers' compensation insurers writing workers' compensation insurance in this state and risk management pools created under the Intergovernmental Risk Management Act based on their workers' compensation premiums written in this state or contributions made to risk management pools. Assigned risk premiums shall be excluded from the basis for such assessments. ~~for the equitable apportionment among such carriers of applicants for such policies who are in good faith entitled to but are unable to procure such policies through ordinary methods. Such system shall be so drawn as to guarantee that such an applicant, if not in default on workers' compensation premiums, shall be covered by workers' compensation insurance following his or her application to the assigned-risk system and tender of required premium. When any such system has been~~

~~approved, all such carriers shall subscribe thereto and participate therein. Assignment shall be in such manner that, as far as practicable, no carrier shall be assigned a larger proportion of compensation premiums under assigned policies during any calendar year than that which the total of compensation premiums written in the state by such carrier during the preceding year bears to the total compensation premiums written in the state by all such carriers during the preceding calendar year.~~

~~(2)~~ (3) Any employer which is required to establish a safety committee pursuant to sections 48-443 to 48-445 and which is not in compliance with such sections shall not be entitled to be covered by workers' compensation insurance under this section.

Sec. 45. Original section 48-146.01, Reissue Revised Statutes of Nebraska, is repealed.".

2. On page 3, line 17; page 4, lines 19 and 24; and page 5, line 4, after the period insert "For purposes of this subdivision, a group of insurers under common ownership or control shall be considered a single insurer.".

3. On page 4, strike lines 10 through 15 and renumber the remaining subdivisions accordingly.

4. On page 5, strike beginning with "dividend" in line 24 through the first comma in line 25; and strike lines 27 and 28 and insert "information. Rating system does not include dividend rating plans or other provisions for the possible payment of dividends if such dividends are declared by the insurer's board of directors and are not guaranteed;".

5. On page 6, strike lines 1 and 2; and in line 14 after "director" insert ". For purposes of this subdivision, a group of insurers under common ownership or control shall be considered a single insurer".

6. On page 14, strike beginning with "All" in line 26 through line 28 and insert "No filing or any supporting information provided pursuant to this section shall be open to public inspection pursuant to sections 84-712 to 84-712.09 before the date on which the director completes review of the filing unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by the director pursuant to statute. Correspondence specifically relating to".

7. On page 20, strike lines 7 through 9 and reletter the remaining subdivisions accordingly.

8. On page 24, strike beginning with "All" in line 9 through line 11 and insert "No filing or any supporting information provided by an insurer pursuant to this section shall be open to public inspection pursuant to sections 84-712 to 84-712.09 before the approval or disapproval of the filing unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by the director pursuant to statute. Correspondence specifically relating to".

9. On page 29, strike beginning with "All" in line 19

through line 21 and insert "No filing or any supporting information provided by an insurer pursuant to this section shall be open to public inspection pursuant to sections 84-712 to 84-712.09 before the approval or disapproval of the filing unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by the director pursuant to statute. Correspondence specifically relating to".

10. On page 39, strike beginning with "(1)" in line 20 through line 22 and renumber the remaining subsections accordingly.

11. On page 60, line 24, strike "and 42" and insert "39, and 43".

12. Renumber the remaining sections accordingly.

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 1407. Placed on General File as amended.
Standing Committee amendment to LB 1407:
AM2597

1. Strike the original sections and insert the following new sections:

"Section 1. The state may provide assistance for up to twenty-four months to reimburse the work-related child care expenses of families with gross incomes of up to one hundred eighty-five percent of the federal poverty level. The amount of such assistance shall be based on a cost-sharing plan between the recipient family and the state and shall consider the assets of the recipient family as well as the family's gross income. A recipient family may be required to contribute up to twenty percent of such family's gross income for child care. The Department of Health and Human Services shall adopt and promulgate rules and regulations to carry out this section.

Sec. 2. The Department of Health and Human Services and the Department of Health and Human Services Finance and Support shall conduct a study of the twenty-four-month limitation period and the sliding-fee cost-sharing plan required by section 1 of this act and the economic and social impacts of increasing the recipient family's financial contribution toward the cost of care and limiting the recipient family's eligibility under such section. The departments shall report the results and recommendations of such study to the Governor and the Legislature on or before November 15, 2000. This section terminates on January 1, 2001.

Sec. 3. Section 68-1724, Reissue Revised Statutes of Nebraska, is amended to read:

68-1724. (1) Cash assistance shall be provided for a period or periods of time not to exceed a total of two years for recipient families with children subject to the following:

(a) If the state fails to meet the specific terms of the self-sufficiency contract developed under section 68-1719, the two-year time limit established in this section shall be extended for an additional period of not more than two years;

(b) The two-year time period for cash assistance shall begin when the self-sufficiency contract is signed or when any children born into the recipient family prior to the initial ten months of assistance reach the age of six months, whichever is later;

(c) When no longer eligible to receive cash assistance, assistance shall be available to reimburse work-related child care expenses even if the recipient family has not achieved economic self-sufficiency in the same manner as prescribed in section 1 of this act. ~~The amount of such assistance shall be based on a cost-shared plan between the recipient family and the state which shall provide assistance up to one hundred eighty-five percent of the federal poverty level for up to twenty-four months. A recipient family may be required to contribute up to twenty percent of such family's gross income for child care.~~ It is the intent of the Legislature that transitional health care coverage be made available on a sliding-scale basis to individuals and families with incomes up to one hundred eighty-five percent of the federal poverty level if other health care coverage is not available;

(d) After receiving cash assistance under this section for two years at a monthly payment level not exceeding that provided in section 43-512, families shall receive no further cash assistance pursuant to this section for at least two years after the assistance period ends; and

(e) The self-sufficiency contract shall be revised and the two-year time period for cash assistance extended when there is no job available for adult members of the recipient family. It is the intent of the Legislature that available job shall mean a job which results in an income of at least equal to the amount of cash assistance that would have been available if receiving assistance minus unearned income available to the recipient family.

The department shall develop policy guidelines to allow for cash assistance to persons who have received the maximum cash assistance provided by this section and who face extreme hardship without additional assistance. For purposes of this section, extreme hardship means a recipient family does not have adequate cash resources to meet the costs of the basic needs of food, clothing, and housing without continuing assistance or the child or children are at risk of losing care by and residence with their parent or parents.

(2) Cash assistance conditions under the Welfare Reform Act shall be as follows:

(a) Adults in recipient families shall mean individuals at least nineteen years of age living with and related to a child eighteen years of age or younger and shall include parents, siblings, uncles, aunts, cousins, or grandparents, whether the relationship is biological, adoptive, or step;

(b) The payment standard shall be based upon family size. Any child born into the recipient family after the initial ten months of participation in the program shall not increase the cash assistance payment, except that child support or other income received on behalf of such child or children shall not be considered as countable income to the recipient family in determining the amount of their cash assistance payment;

(c) The adults in the recipient family shall ensure that the minor children regularly attend school. Education is a valuable personal resource. The cash assistance provided to the recipient family may be reduced when the parent or parents have failed to take reasonable action to encourage the minor children of the recipient family ages sixteen and under to regularly attend school. No reduction of assistance shall be such as may result in extreme hardship. It is the intent of the Legislature that a process be developed to insure communication between the case manager, the parent or parents, and the school to address issues relating to school attendance;

(d) Two-parent families which would otherwise be eligible under section 43-504 or a federally approved waiver shall receive cash assistance under this section;

(e) For minor parents, the assistance payment shall be based on the minor parent's income. If the minor parent lives with at least one parent, the family's income shall be considered in determining eligibility and cash assistance payment levels for the minor parent. If the minor parent lives independently, support shall be pursued from the parents of the minor parent. If the absent parent of the minor's child is a minor, support from his or her parents shall be pursued. Support from parents as allowed under this subdivision shall not be pursued when the family income is less than three hundred percent of the federal poverty guidelines; and

(f) For adults who are not biological or adoptive parents or stepparents of the child or children in the family, if assistance is requested for the entire family, including the adults, a self-sufficiency contract shall be entered into as provided in section 68-1719. If assistance is requested for only the child or children in such a family, such children shall be eligible after consideration of the family's income and if (i) the family cooperates in pursuing child support and (ii) the minor children of the family regularly attend school.

Sec. 4. Original section 68-1724, Reissue Revised Statutes of Nebraska, is repealed.".

(Signed) Jim Jensen, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Byars asked unanimous consent to be excused. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 921. Title read. Considered.

The Standing Committee amendment, AM2072, found on page 418, was considered.

Senator Brashear moved for a call of the house. The motion prevailed with 11 ayes, 0 nays, and 38 not voting.

The Standing Committee amendment was adopted with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Senator Brashear offered the following amendment:
AM2612

1. Insert the following new sections:

"Sec. 27. Section 25-2804, Reissue Revised Statutes of Nebraska, is amended to read:

25-2804. (1) Actions in the Small Claims Court shall be commenced by the filing of a claim, personally or by mail, by the plaintiff on a form provided by the clerk of a county court. The claim form shall be executed by the plaintiff in the presence of a judge, a clerk or deputy or assistant clerk of a county court, or a notary public or other person authorized by law to take acknowledgments. If not filed in person, the claim form and appropriate fees shall be mailed by the plaintiff to the court of proper jurisdiction.

(2) At the time of the filing of the claim, the plaintiff shall pay a fee of five dollars to the clerk.

(3) Upon filing of a claim in the Small Claims Court, the court shall set a time for hearing and shall cause notice to be served upon the defendant. Notice shall be served not less than five days before the time set for hearing. Notice shall consist of a copy of the complaint and a summons directing the defendant to appear at the time set for hearing and informing the defendant that if he or she fails to appear, judgment will be entered against him or her. Notice shall be served in the manner provided for service of a summons in a civil action. If the notice is to be served by certified mail, the clerk shall provide the plaintiff with written instructions, prepared and provided by the State Court Administrator, regarding the proper procedure for service by certified mail. ~~, except that service by certified mail shall be made by the clerk.~~ The cost of service shall be paid by the plaintiff, but such cost and filing fee shall be added to any judgment given the plaintiff.

(4) The defendant may file a setoff or counterclaim. Any setoff or counterclaim shall be filed and a copy delivered to the plaintiff at least two days prior to the time of trial. If the setoff or counterclaim exceeds the jurisdictional limits of the Small Claims Court as established pursuant to section 25-2802, the court shall cause the entire matter to be transferred to the regular county court docket and set for trial.

(5) No prejudgment actions for attachment, garnishment, replevin, or other provisional remedy may be filed in the Small Claims Court.

(6) All forms required by this section shall be prescribed by the Supreme Court. The claim form shall provide for the names and addresses of the plaintiff and defendant, a concise statement of the nature, amount, and time and place of accruing of the claim, and an acknowledgment for use by the person in whose presence the claim form is executed and shall also contain a brief explanation of the Small Claims Court procedure and methods of appeal therefrom.

(7) Judgments rendered against a defendant in his or her absence may not be set aside but may only be appealed as governed by section 25-2807.

Sec. 29. Section 29-117, Revised Statutes Supplement, 1998, is amended to read:

29-117. The application for review provided in section 29-116 shall be accompanied by a copy of the order of the trial court granting the motion to suppress and a ~~transcript of all~~ bill of exceptions containing all of the evidence, including affidavits, considered by the trial court in its ruling on the motion, and so certified by the trial court. The application shall be filed with the Clerk of the Supreme Court, if the trial court is the district court, or with the clerk of the district court, if the trial court is the county court, within such time as may be ordered by the trial court, which in fixing such time shall take into consideration the length of time required to prepare the ~~necessary transcripts~~ bill of exceptions, and shall also consider whether the defendant is in jail or whether he or she is on bail, but in no event shall more than thirty days be given in which to file such application.

Sec. 30. Section 29-825, Revised Statutes Supplement, 1998, is amended to read:

29-825. The application for review provided in section 29-824 shall be accompanied by a copy of the order of the trial court granting the motion to suppress and a ~~transcript of~~ bill of exceptions containing all of the evidence, including affidavits, considered by the trial court in its ruling on the motion, and so certified by the trial court. The application shall be filed with the Clerk of the Supreme Court, if the trial court is the district court, or with the clerk of the district court, if the trial court is the county court, within such time as may be ordered by the trial court, which in fixing such time shall take into consideration the length of time required to prepare the ~~necessary transcript~~ bill of exceptions, and shall also consider whether the defendant is in jail or whether he or she is on bail, but in no event shall more than thirty days be given in which to file such application.".

2. On page 25, line 3, after "25-2733," insert "25-2804,"; and in lines 4 and 5 strike "section 25-2001" and insert "sections 25-2001, 29-117, and 29-825,".

3. Renumber the remaining sections accordingly.

The Brashear amendment was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Brashear offered the following amendment:
AM2613

1. Insert the following new section:

"Sec. 2. Section 25-208, Reissue Revised Statutes of Nebraska, is amended to read:

25-208. The following actions can only be brought within the periods stated in this section: Within one year, an action for libel~~,~~ or slander; ~~, assault and battery, false imprisonment, or malicious prosecution or an action upon a statute for a penalty or forfeiture, but if the statute giving such action prescribes a different limitation, the action may be brought within the period so limited;~~ and within two years, an action for malpractice which is not otherwise specifically limited by statute.

In the absence of any other shorter applicable statute of limitations, any action for the recovery of any excise or other tax which has been collected under any statute of the State of Nebraska and which has been finally adjudged to be unconstitutional shall be brought within one year after the final decision of the court declaring it to be unconstitutional. This section shall not apply to any action for the recovery of a property tax.

The changes made to this section by this legislative bill shall apply to causes of action accruing on and after the effective date of this act.".

2. On page 24, line 28, after the first comma insert "25-208,".

3. Renumber the remaining sections and correct internal references accordingly.

The Brashear amendment was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 12 present and not

voting, and 10 excused and not voting.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1101A. Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1101, Ninety-sixth Legislature, Second Session, 2000.

UNANIMOUS CONSENT - Add Cointroducer

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1399. No objections. So ordered.

VISITORS

The Doctor of the Day was Dr. Lynne Holz from Lincoln.

ADJOURNMENT

At 4:04 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Thursday, March 2, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-SEVENTH DAY - MARCH 2, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 2, 2000

PRAYER

The prayer was offered by Father Richard Quinn, Holy Name Catholic Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senator Beutler who was excused; and Senators Bohlke, Brashear, Bromm, Kiel, Landis, Matzke, D. Pederson, Robak, Schrock, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 1, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Gagne, Robert - Minneapolis, MN; Orphan Medical
Schwartz, Julia Plucker - Omaha; MultiState Associates Incorporated on behalf of AirTouch Communications (Withdrawn 2/28/2000)
Tushar, Danene J. - Omaha; MultiState Associates Incorporated on behalf of AirTouch Communications (Withdrawn 2/28/2000)
White, Anna C. - Minneapolis, MN; Orphan Medical

MOTION - Print in Journal

Senator Chambers filed the following motion to LB 510:
Reconsider the vote on overriding the veto.

GENERAL FILE

LEGISLATIVE BILL 973. Title read. Considered.

The Standing Committee amendment, AM2218, found on page 522, was considered.

SENATOR SCHIMEK PRESIDING

Senators Kristensen and Cudaback asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA303
Amend AM2218
P. 1, line 12 strike "wagon".

The Chambers amendment was adopted with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

Pending.

SPEAKER KRISTENSEN PRESIDING

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1107A. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1107, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 1067. Placed on General File as amended.
Standing Committee amendment to LB 1067:
AM2614

1. Strike the original sections and insert the following new sections:
"Section 1. Section 66-4,141, Revised Statutes

Supplement, 1998, is amended to read:

66-4,141. (1) Upon receipt of the cost figures required by section 66-4,143, the department shall determine the statewide average cost by dividing the total amount paid for motor vehicle fuel, diesel fuel, and compressed fuel by the State of Nebraska, excluding any state and federal taxes, by the total number of gallons of motor vehicle fuel, diesel fuel, and compressed fuel purchased during the reporting period.

(2) After computing the statewide average cost as required in subsection (1) of this section, the department shall multiply such statewide average cost by the tax rate established pursuant to section 66-4,144.

(3) In making the computations required by subsections (1) and (2) of this section, gallonage reported shall be rounded to the nearest gallon and total costs shall be rounded to the nearest dollar. All other computations shall be made with three decimal places, except that after all computations have been made the tax per gallon shall be rounded to the nearest one-tenth of one cent.

(4) The tax rate per gallon computed pursuant to this section shall be distributed to all licensed motor vehicle fuel suppliers, distributors, wholesalers, and importers, diesel fuel suppliers, distributors, wholesalers, and importers, compressed fuel retailers, and interstate motor vehicle operators who choose to be subject to sections 66-490 to 66-494 at least five days prior to the first day of any semiannual period during which the tax is to be adjusted. Such tax rate shall be utilized in computing the ~~tax~~ taxes due for the period specified by the department.

Sec. 2. Section 66-4,142, Revised Statutes Supplement, 1998, is amended to read:

66-4,142. (1) The department shall at the end of each calendar quarter determine the total amount of motor fuel tax that was not collected in the preceding calendar quarter due to the credit provided in section 66-1344 and due to any exemption provided in sections 66-489 and 66-4,105 less the amount transferred to the Highway Trust Fund from the Ethanol Production Incentive Cash Fund pursuant to section 66-1345.

(2) If the amount determined in subsection (1) of this section is at least equal to the amount of revenue raised in the same period by one-tenth of one cent of the fuel tax imposed by sections 66-489, 66-4,105, 66-668, and 66-6,107, the department shall for the next succeeding calendar quarter adjust the rate of the fuel tax imposed by such sections in an amount which the department estimates~~, based on the estimates provided to the State Tax Board pursuant to section 66-4,144,~~ will raise sufficient revenue to meet and not exceed the amount so determined, except that all such adjustments shall be in increments of one-tenth of one cent per gallon.

Sec. 3. Section 66-4,144, Revised Statutes Supplement, 1998, is amended to read:

66-4,144. (1) In order to insure that an adequate balance in the Highway Restoration and Improvement Bond Fund is maintained to meet the debt service requirements of bonds to be issued by the commission under subsection (2) of section 39-2223, the ~~Governor may call a meeting of the State Tax Board at any time in advance of the issuance of such bonds. At such meeting, the board shall set the rate of~~ Director-State Engineer shall certify to the department the excise tax rate imposed by sections 66-4,140, 66-669, and 66-6,108 for each year during which such bonds are outstanding necessary to provide in each such year money equal in amount to not less than one hundred twenty-five percent of such year's bond principal and interest payment requirements. The department shall adjust the rate as certified by the Director-State Engineer. Such rate shall be in addition to the rate of excise tax set pursuant to subsection (2) of this section. Each such rate shall be effective from July 1 of a stated year through June 30 of the succeeding year or during such other period not longer than one year as the ~~board determines~~ Director-State Engineer certifies to be consistent with the principal and interest requirements of such bonds. Such excise tax rates set pursuant to this subsection may be increased, but such excise tax rates shall not be subject to reduction or elimination unless the ~~board~~ Director-State Engineer has received from the Nebraska Highway Bond Commission notice of reduced principal and interest requirements for such bonds, in which event the ~~Governor may call a meeting of the board to determine whether the rate or rates shall be changed~~ Director-State Engineer shall certify the new rate or rates to the department. The new rate or rates, if any, ~~set by the board~~ shall become effective on the first day of the following semiannual period.

(2) In order to insure that there is maintained an adequate Highway Cash Fund balance to meet expenditures from such fund as appropriated by the Legislature, ~~within fifteen days after the adjournment of each regular session of the Legislature, the board shall set the rate of~~ by June 15 or five days after the adjournment of the regular legislative session each year, whichever is later, the Director-State Engineer shall certify to the department the excise tax rate to be imposed by sections 66-4,140, 66-669, and 66-6,108. The department shall adjust the rate in the amount certified by the Director-State Engineer to ~~which will~~ be effective from July 1 through June 30 of the succeeding year. The rate of excise tax for a given July 1 through June 30 period set pursuant to this subsection shall be in addition to and independent of the rate or rates of excise tax set pursuant to subsection (1) of this section for such period.

~~(3) The Department of Roads, with assistance from the Department of Revenue, shall prepare and provide the necessary information to each member of the board at least five days before each meeting. Such information shall include, but not be limited to, the unobligated balance in the Highway Cash Fund anticipated on~~

~~the subsequent June 30, monthly estimates of anticipated receipts to the Highway Cash Fund for the subsequent fiscal year, and the appropriations made from the Highway Cash Fund for the subsequent fiscal year.~~

~~(4) The board~~ The Director-State Engineer shall determine the cash and investment balances of the Highway Cash Fund at the beginning of each fiscal year under consideration and the estimated receipts to the Highway Cash Fund from each source which provides at least one million dollars annually to such fund. The ~~board shall then fix the~~ rate of excise tax ~~in~~ shall be an amount sufficient to meet the appropriations made from the Highway Cash Fund by the Legislature. Such rate shall be set in increments of one-tenth of one percent.

~~(5) On or before the fifteenth day of each month, the~~ (3) The Department of Roads shall provide to the Legislative Fiscal Analyst a copy of the information that is submitted to the Department of Revenue and used to set or adjust the excise tax rate. ~~each member of the board and the Clerk of the Legislature a report reflecting a comparison of the Highway Cash Fund deposits for the preceding calendar month and fiscal year to date against the projections for the same periods and the limitations of information contained in such report. The projections in the report shall be those last used by the board in setting the excise tax rate for the periods being reviewed. The report shall contain a comparison of actual receipts received to date added to any modified projections of deposits to the Highway Cash Fund for the remainder of the current fiscal year, as supplied by the Department of Roads to the board, against the appropriation for the current fiscal year. If the accumulative total deposits to the Highway Cash Fund under Chapter 66, articles 4 and 6, for the fiscal year are at any time less than ninety-eight percent or greater than one hundred four percent of the projected deposits for such period or if~~

(4) If the actual receipts received to date added to any projections or modified projections of deposits to the Highway Cash Fund for the current fiscal year~~, as supplied by the Department of Roads to the board,~~ are less than ~~ninety-eight~~ ninety-nine percent or greater than one hundred ~~four~~ two percent of the appropriation for the current fiscal year, the ~~Governor may call a meeting of the board to determine whether the rate shall be changed. If such a change is required, the board shall set the new rate which shall become~~ Director-State Engineer shall certify to the department the adjustment in rate necessary to meet the appropriations made from the Highway Cash Fund by the Legislature. The department shall adjust the rate in the amount certified by the Director-State Engineer to be effective on the first day of the following semiannual period.

(5) ~~(6)~~ Nothing in this section shall be construed to abrogate the duties of the Department of Roads or attempt to change

any highway improvement program schedule.

Sec. 4. Original sections 66-4,141, 66-4,142, and 66-4,144, Revised Statutes Supplement, 1998, are repealed.

Sec. 5. The following sections are outright repealed: Sections 77-501, 77-502, and 77-503, Revised Statutes Supplement, 1998.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) William R. Wickersham, Chairperson

General Affairs

LEGISLATIVE BILL 1130. Placed on General File as amended.
Standing Committee amendment to LB 1130:
AM2615

1. On page 2, strike beginning with the underscored colon in line 26 through "Consume" in line 27 and insert ", consume".

2. On page 3, strike beginning with the underscored semicolon in line 11 through "liquor" in line 17.

3. On page 6, line 15, after "of" insert "not less than sixty days and not more than".

4. On page 7, strike beginning with "be" in line 23 through "shall" in line 24.

5. On page 8, strike beginning with "The" in line 2 through line 8.

(Signed) Ray Janssen, Chairperson

AMENDMENT - Print in Journal

Senator Jensen filed the following amendment to LB 352:
AM2605

(Amendments to Standing Committee amendments, AM2000)

1. On page 1, lines 2, 6, 8, 13, and 24; and page 2, lines 1, 4, and 8, strike all occurrences of "2002" and insert "2003".

GENERAL FILE

LEGISLATIVE BILL 409. Title read. Considered.

The Standing Committee amendment, AM0972, found on page 1255, First Session, 1999, was considered.

Senator Vrtiska asked unanimous consent to pass over LB 409. No objections. So ordered.

LEGISLATIVE BILL 613. Title read. Considered.

Senator Chambers moved to indefinitely postpone LB 613.

Pending.

LEGISLATIVE BILL 696. Title read. Considered.

The Standing Committee amendment, AM1082, found on page 1313, First Session, 1999, was considered.

PRESIDENT MAURSTAD PRESIDING

The Standing Committee amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

Senator Chambers moved to indefinitely postpone LB 696.

Laid over.

LEGISLATIVE BILL 709. Title read. Considered.

The Standing Committee amendment, AM1062, printed separately and referred to on page 1526, First Session, 1999, was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 915. Title read. Considered.

Senator Chambers moved to indefinitely postpone LB 915.

Laid over.

LEGISLATIVE BILL 918. Title read. Considered.

Senator Chambers moved to indefinitely postpone LB 918.

Senator Crosby asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Engel asked unanimous consent to be excused. No objections. So ordered.

Laid over.

Senator Vrtiska asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 923. Title read. Considered.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Chambers moved to indefinitely postpone LB 923.

Laid over.

LEGISLATIVE BILL 954. Title read. Considered.

Senators Bourne and Connealy asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers moved to indefinitely postpone LB 954.

Laid over.

LEGISLATIVE BILL 1012. Title read. Considered.

Senator Bruning requested to pass over LB 1012.

LEGISLATIVE BILL 1023. Title read. Considered.

Senator Bruning asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment, AM2244, found on page 698, was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 1085. Title read. Considered.

The Standing Committee amendment, AM2034, found on page 419, was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Senator Lynch asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 1146. Title read. Considered.

The Standing Committee amendment, AM2242, found on page 677, was

adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Senator Chambers moved to indefinitely postpone LB 1146.

Laid over.

Senators Schrock and Cudaback asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 1170. Title read. Considered.

The Standing Committee amendment, AM2112, printed separately and referred to on page 572, was considered.

Senators Brashear, Schmitt, Aguilar, Price, and Robak asked unanimous consent to be excused. No objections. So ordered.

Pending.

LEGISLATIVE BILL 1197. Title read. Considered.

Senators Thompson and Suttle asked unanimous consent to be excused until they return. No objections. So ordered.

The Standing Committee amendment, AM2328, found on page 720, was adopted with 25 ayes, 0 nays, 7 present and not voting, and 17 excused and not voting.

Advanced to E & R for review with 25 ayes, 0 nays, 7 present and not voting, and 17 excused and not voting.

AMENDMENT - Print in Journal

Senator Suttle filed the following amendment to LB 1025:
AM2592

(Amendments to Standing Committee amendments, AM2321)

1. Strike the original sections and all amendments thereto and insert the following sections:

"Section 1. Sections 1 to 5 of this act shall be known and may be cited as the Nebraska Center for Nursing Act.

Sec. 2. The Legislature finds that it is imperative that the State of Nebraska protect its investment and the progress made in its efforts to alleviate the nursing shortage which exists. The Legislature also finds that the Nebraska Center for Nursing will provide the appropriate means to do so. It is the intent of the Legislature to appropriate funds necessary for the center to carry out the Nebraska Center for Nursing Act.

Sec. 3. The Nebraska Center for Nursing is established.

The center shall address issues of supply and demand for nurses, including issues of recruitment, retention, and utilization of nurses. The Legislature finds that the center will repay the state's investment by providing an ongoing strategy for the allocation of the state's resources directed towards nursing. The primary goals for the center are:

(1) To develop a strategic statewide plan to alleviate the nursing shortage in Nebraska by:

(a) Establishing and maintaining a data base on nursing supply and demand in Nebraska, including current supply and demand and future projections; and

(b) Selecting priorities from the plan to be addressed;

(2) To convene various groups representative of nurses, other health care providers, business and industry, consumers, legislators, and educators to:

(a) Review and comment on data analysis prepared for the center;

(b) Recommend systemic changes, including strategies for implementation of recommended changes; and

(c) Evaluate and report the results of these efforts to the Legislature and the public; and

(3) To enhance and promote recognition, reward, and renewal activities for nurses by:

(a) Proposing and creating reward, recognition, and renewal activities; and

(b) Promoting media and positive image-building efforts for nursing.

Sec. 4. (1) The Nebraska Center for Nursing Board is created. The board shall be a policy-setting board for the Nebraska Center for Nursing. The board shall be appointed by the Governor as follows:

(a) Ten members, at least three of whom shall be registered nurses, one of whom shall be a licensed practical nurse, one of whom shall be a representative of the hospital industry, and one of whom shall be a representative of the long-term care industry;

(b) One nurse educator recommended by the Board of Regents of the University of Nebraska;

(c) One nurse educator recommended by the Nebraska Community College Association;

(d) One nurse educator recommended by the Nebraska Association of Independent Colleges and Universities; and

(e) Three members recommended by the State Board of Health.

(2) The initial terms of the members of the Nebraska Center for Nursing Board shall be:

(a) Five of the ten members appointed under subdivision (1)(a) shall serve for one year and five shall serve for two years;

(b) The member recommended by the Board of Regents shall serve three years;

(c) The member recommended by the Nebraska Community College Association shall serve two years;

(d) The member recommended by the Nebraska Association of Independent Colleges and Universities shall serve one year; and

(e) The members recommended by the State Board of Health shall serve three years.

The initial appointments shall be made within sixty days after the effective date of this act. After the initial terms expire, the terms of all of the members shall be three years with no member serving more than two consecutive terms.

(3) The board shall have the following powers and duties:

(a) To determine operational policy;

(b) To elect a chairperson and officers to serve two-year terms. The chairperson and officers may not succeed themselves;

(c) To establish committees of the board as needed;

(d) To appoint a multidisciplinary advisory council for input and advice on policy matters;

(e) To implement the major functions of the Nebraska Center for Nursing; and

(f) To seek and accept nonstate funds for carrying out center policy.

(4) The board members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(5) The Department of Health and Human Services Regulation and Licensure shall provide administrative support for the board. The board may contract for additional support not provided by the department.

Sec. 5. The Nebraska Center for Nursing Act terminates on July 1, 2005.".

MOTION - Print in Journal

Senator Smith filed the following motion to LB 1145:
Indefinitely postpone LB 1145.

AMENDMENTS - Print in Journal

Senator Smith filed the following amendment to LB 1145:
FA304
Strike the emergency clause

Senator Smith filed the following amendment to LB 1145:
FA305
P 2, line 9 beginning with the comma prior to "except," strike ", except this provision shall not apply"

Senator Smith filed the following amendment to LB 1145:

FA306
P. 2, line 19 strike beginning with "of" through (line 20) "report"

REPORTS

The following reports were received by the Legislature:

Education, Department of
Nebraska School Finance Review Committee Annual Report

Property Assessment and Taxation, Department of
Redevelopment Projects of Cities Using Tax Increment Financing

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1192. Placed on Select File as amended.
(E & R amendment, AM7213, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1107. Placed on Select File as amended.
E & R amendment to LB 1107:
AM7214
1. On page 7, line 7, strike "value" and insert "valuation".

LEGISLATIVE BILL 930. Placed on Select File as amended.
E & R amendment to LB 930:
AM7211
1. On page 1, line 2, after the fourth comma insert "and" and strike "and"; in line 3 strike "48-146.01,"; in line 6 after the first comma insert "and" and strike ", and workers'"; and in line 7 strike "compensation insurance".
2. On page 17, line 16, after "contribution" insert an underscored comma.

LEGISLATIVE BILL 944. Placed on Select File.
LEGISLATIVE BILL 960. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Education

LEGISLATIVE BILL 1334. Placed on General File.

(Signed) Ardyce L. Bohlke, Chairperson

Agriculture

LEGISLATIVE BILL 1079. Placed on General File.
LEGISLATIVE BILL 1280. Placed on General File.

LEGISLATIVE BILL 1222. Placed on General File as amended.
Standing Committee amendment to LB 1222:
AM2317

1. On page 4, line 6, after the period insert "The departments shall adopt and promulgate rules and regulations to carry out the act."; in line 12 strike "; (2)" and insert "or"; in line 13 strike "(3)" and insert "(2)"; and in line 14 strike "(4)" and insert "(3)".

LEGISLATIVE BILL 1348. Placed on General File as amended.
Standing Committee amendment to LB 1348:
AM2527

1. Strike the original sections and insert the following new sections:

"Section 1. Sections 1 to 9 of this act shall be known and may be cited as the Nebraska Agricultural and Rural Opportunities Act.

Sec. 2. (1) The Legislature finds that there is a serious economic crisis in most of rural Nebraska, particularly in the agricultural sector of the economy.

(2) The Legislature finds that there is a need in rural Nebraska to develop strategies and programs to create genuine economic opportunities that enable people to improve their incomes, avoid poverty, build assets, and develop their capacity to contribute to the betterment of their communities.

(3) The Legislature finds that strong communities enable local residents to be more self-sufficient, which contributes to the overall strength and well-being of Nebraska.

(4) The Legislature finds that there is a need to:

(a) Support self-employment and small-scale entrepreneurship in both agricultural and nonagricultural activities;

(b) Enhance income and opportunities for farms and ranches to stem the decline in the number of such operations;

(c) Develop strategies and programs to increase the farm and ranch share of the food system profit; and

(d) Build the capacity of farms and ranches and small rural businesses to benefit from the development of electronic commerce.

Sec. 3. For purposes of the Nebraska Agricultural and Rural Opportunities Act, farming or ranching means the active use, management, and operation of real and personal property for the production of crops or raising of livestock.

Sec. 4. (1) An agricultural opportunities grant program shall be administered by the Department of Agriculture as provided in sections 4 to 8 of this act.

(2) The purposes of the agricultural opportunities grant program are to:

(a) Enhance the income and opportunity for farms and ranches in Nebraska and to stem the decline in their numbers;

(b) Increase the farm and ranch share of the food system profit;

(c) Enhance the economic and social viability of rural communities in Nebraska that depend on agricultural production;

(d) Support small enterprise formation in the agricultural sector of Nebraska's rural economy and to enhance the self-employment opportunities in all Nebraska communities;

(e) Support the development of agricultural communities and economic opportunity through innovative uses of Nebraska's land and water resources, while conserving and strengthening resource quality for current and future generations; and

(f) Enhance opportunities for farms and ranches to participate in electronic commerce and new and emerging markets that strengthen rural economic opportunities.

Sec. 5. (1) The Department of Agriculture shall establish a system to provide agricultural opportunities grants of up to seventy-five thousand dollars annually to organizations and entities for the purposes specified in section 4 of this act. Eligible entities for such grants shall include communities, counties, agencies, educational institutions, economic development providers, nonprofit corporations, not-for-profit corporations, agricultural cooperatives, agricultural associations, agricultural marketing associations or entities, resource conservation and development areas, and development districts.

(2) Grants provided under the agricultural opportunities grant program shall directly address one or more of the purposes specified in section 4 of this act, and shall result in private new enterprise formation or expanded incomes and economic opportunities for existing enterprises. The applications selected for funding shall be those that make the greatest contribution to increasing the number and quality of self-employment opportunities in farming and ranching.

(3) Grants may be used to support:

(a) Research;

(b) Education and training;

(c) Market development;

(d) Business planning assistance, feasibility and market studies, capitalization plans, and technical assistance;

(e) Development of cooperatives;

(f) Community and multi-community initiatives;

(g) Retention and transfer of agricultural and nonagricultural businesses in rural communities;

(h) Community-based, farmer or rancher owned value-added initiatives; and

(i) Other activities that are deemed necessary to fulfill the purposes specified in section 4 of this act.

Sec. 6. (1) To be eligible for an agricultural opportunities grant, an applicant shall:

(a) Document a matching amount in money or in-kind contributions or a combination of both equal to twenty-five percent of the grant funds requested;

(b) Specify measurable goals and expected outcomes for the project for which the grant funds are requested; and

(c) Specify an evaluation and impact assessment process or procedure for the project for which the grant funds are requested.

(2) Grant funds may only be administered by an entity or organization eligible to receive grants under section 5 of this act. A recipient of a grant shall not use the grant funds to replace other funding for the administrative support of the recipient.

(3) A recipient of a grant under section 5 of this act shall not receive more than one grant in any one calendar year for the same project.

(4) Grants awarded pursuant to this section shall be awarded on a one-year basis but may be renewed on an annual basis. The Department of Agriculture shall develop an annual performance review process and a program for grant renewal of approved projects determined to have continued necessary statewide application and success, given the purposes specified in section 4 of this act.

(5) For purposes of this section, project means any activity designed to promote the purposes specified in section 4 of this act. Project does not mean, and grant funds shall not be used for, any activity primarily designed to contribute to a single business, enterprise, or individual.

Sec. 7. The Department of Agriculture shall submit an annual report to the Governor and Legislature on or before January 1 listing the recipients and grant amounts made under the agricultural opportunities grant program as provided in sections 4 to 8 of this act in the previous year, the documented and measurable impacts of the grants, and an evaluation of the program's performance based on the measurable goals and expected outcomes of the recipients of the grants. Copies of the program performance evaluation shall be made available through print and electronic media.

Sec. 8. The Department of Agriculture shall adopt and promulgate rules and regulations to carry out the agricultural opportunities grant program. The department shall coordinate activities funded by grants under section 5 of this act with other organizations or institutions working on similar activities in the state.

Sec. 9. The Agricultural and Rural Opportunities Cash

Fund is created. The fund shall be used by the Department of Agriculture for grants awarded pursuant to the Nebraska Agricultural and Rural Opportunities Act. Money credited to the fund shall include any monetary gifts, grants, donations, proceeds from contracts for services, and reimbursement of expenses. The department shall seek money from sources such as, but not limited to, federal funds, commodity checkoff funds, private donations, and private grants. All such funds shall be credited to the Agricultural and Rural Opportunities Cash Fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. No funds shall be received or accepted for the Agricultural and Rural Opportunities Cash Fund that are designated for the purpose or the benefit of a single business, enterprise, or individual.

Sec. 10. It is the intent of the Legislature to appropriate in each of fiscal years 2001-02 and 2002-03:

(1) One million dollars to fund the agricultural opportunities grant program under the Nebraska Agricultural and Rural Opportunities Act; and

(2) Eight hundred seventy-five thousand dollars to the Microenterprise Partnership Program as specified in the Microenterprise Development Act.

Sec. 11. Section 81-1299, Reissue Revised Statutes of Nebraska, is amended to read:

81-1299. The department shall establish the Microenterprise Partnership Program. In order to implement the program, the department:

(1) Shall provide grants ~~of up to twenty-five thousand dollars~~ to microloan delivery organizations for the purposes specified in the Microenterprise Development Act. ~~If, upon determination during the selection process that an applicant is making a significant contribution to unserved communities and neighborhoods and would enhance the act's purpose of establishing a statewide network of microloan delivery organizations, grants of up to fifty thousand dollars may be provided~~ To the maximum extent possible, the selection process should assure that the distribution of such grants provides equitable access to the act's benefits by all geographic areas of the state;

(2) May engage in contractual relationships with statewide microlending support organizations which shall serve as agents for the department in order to effect the purposes and fulfill the requirements of the act; and

(3) May identify and coordinate other state and federal sources of funds which may be available to the department to enhance the state's ability to facilitate program grants pursuant to the program.

Sec. 12. Section 81-12,102, Reissue Revised Statutes of Nebraska, is amended to read:

81-12,102. The granting of any appropriated funds to a microloan delivery organization must meet the following qualifications:

(1) Granted funds must be matched by nonstate funds equivalent in money or ~~in kind equal to one dollar for each one dollar~~ in-kind contributions or a combination of both equal to fifty percent of the grant funds requested. Such matching funds can come from any nonstate source, including private foundations, federal or local government sources, quasi-governmental entities or commercial lending institutions, or any other funds whose source does not include funds appropriated from the Legislature; and

(2) At least fifty percent of microloan funds must be disbursed by the microloan delivery organizations in microloans which do not exceed ten thousand dollars.

Sec. 13. Section 81-12,103, Reissue Revised Statutes of Nebraska, is amended to read:

81-12,103. When engaging in contractual relationships with a statewide microlending support organization the department shall:

(1) Require that appropriated funds to a statewide microlending support organization be matched by nonstate funds equivalent in money or ~~in kind equal to one dollar for each one dollar~~ in-kind contributions or a combination of both equal to fifty percent of the grant funds requested. Such matching funds can come from any nonstate source, including private foundations, federal or local government sources, quasi-governmental entities or commercial lending institutions, or any other funds whose source does not include funds appropriated from the Legislature. Such appropriated funds and matched funds shall be determined in the contractual agreement to be subject to the matching requirements required by the Microenterprise Development Act for the purposes of making grants to microloan delivery organizations;

(2) Require the statewide microlending support organization to make and administer grants as specified by the purposes and granting criteria provided by the act; and

(3) Require that no greater than ten percent of the appropriated or contracted funds are used for operating or administering the grant program provided by the act.

Sec. 14. Original sections 81-1299, 81-12,102, and 81-12,103, Reissue Revised Statutes of Nebraska, are repealed.".

(Signed) Merton L. Dierks, Chairperson

Revenue

LEGISLATIVE BILL 916. Placed on General File.
LEGISLATIVE BILL 946. Placed on General File.

(Signed) William R. Wickersham, Chairperson

VISITORS

Visitors to the Chamber were Rev. Dennis Kneer from Watertown, Wisconsin; 13 high school students, teacher, and sponsors from Youth Rehabilitation and Treatment Center, Kearney; and 7 Japanese students and teachers from Creighton University, Omaha.

The Doctor of the Day was Dr. Michael Sayers from Lincoln.

ADJOURNMENT

At 12:29 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, March 7, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-EIGHTH DAY - MARCH 7, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 7, 2000

PRAYER

The prayer was offered by Reverend Jane Heenan, Holy Trinity Episcopal Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Bruning and Matzke who were excused; and Senators Bohlke, Dierks, Hartnett, Kiel, Kristensen, Landis, Price, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-seventh day was approved.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 1345. Placed on General File.

LEGISLATIVE BILL 990. Indefinitely postponed.
LEGISLATIVE BILL 1024. Indefinitely postponed.
LEGISLATIVE BILL 1041. Indefinitely postponed.
LEGISLATIVE BILL 1057. Indefinitely postponed.
LEGISLATIVE BILL 1061. Indefinitely postponed.
LEGISLATIVE BILL 1063. Indefinitely postponed.
LEGISLATIVE BILL 1070. Indefinitely postponed.
LEGISLATIVE BILL 1114. Indefinitely postponed.
LEGISLATIVE BILL 1132. Indefinitely postponed.
LEGISLATIVE BILL 1180. Indefinitely postponed.
LEGISLATIVE BILL 1187. Indefinitely postponed.

LEGISLATIVE BILL 1193. Indefinitely postponed.
LEGISLATIVE BILL 1230. Indefinitely postponed.
LEGISLATIVE BILL 1293. Indefinitely postponed.
LEGISLATIVE BILL 1316. Indefinitely postponed.
LEGISLATIVE BILL 1338. Indefinitely postponed.
LEGISLATIVE BILL 1351. Indefinitely postponed.
LEGISLATIVE BILL 1354. Indefinitely postponed.
LEGISLATIVE BILL 1374. Indefinitely postponed.
LEGISLATIVE BILL 1444. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

MOTION - Approve Appointments

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 845: State Board of Health - Samuel Augustine, Jeffrey Akerson, James Schiefen, and David Hoover; and Health and Human Services System Partnership Council - Stacie Bleicher and Peter Tulipana.

Senator Jensen requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 845: State Board of Health - Samuel Augustine, Jeffrey Akerson, James Schiefen, and David Hoover.

Voting in the affirmative, 27:

Aguilar Baker Bourne Brown Connealy
Crosby Dickey Dierks Engel Hilgert
Hudkins Janssen Jensen Jones Kremer
Pedersen, Dw. Pederson, D. Preister Quandahl Redfield
Robak Schimek Smith Stuhr Suttle
Thompson Tyson

Voting in the negative, 1:

Chambers

Present and not voting, 12:

Beutler Brashear Bromm Byars Coordsen
Cudaback Lynch Raikes Schmitt Schrock
Vrtiska Wehrbein

Excused and not voting, 9:

Bohlke Bruning Hartnett Kiel Kristensen
Landis Matzke Price Wickersham

The appointments were confirmed with 27 ayes, 1 nay, 12 present and not voting, and 9 excused and not voting.

The second division is as follows:
Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 845: Health and Human Services System Partnership Council - Stacie Bleicher.

Voting in the affirmative, 32:

Aguilar Baker Bourne Brashear Brown
Byars Chambers Connealy Crosby Dickey
Dierks Engel Hilgert Hudkins Jensen
Jones Kremer Lynch Pedersen, Dw. Pederson, D.
Preister Quandahl Redfield Schimek Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein

Voting in the negative, 0.

Present and not voting, 8:

Beutler Bromm Coordsen Cudaback Janssen
Raikes Robak Schmitt

Excused and not voting, 9:

Bohlke Bruning Hartnett Kiel Kristensen
Landis Matzke Price Wickersham

The appointment was confirmed with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

Senator Raikes asked unanimous consent to be excused until he returns. No objections. So ordered.

The third division is as follows:
Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointment found on page 845: Health and Human Services System Partnership Council - Peter Tulipana.

Voting in the affirmative, 31:

Aguilar Baker Bourne Bromm Brown

Byars Connealy Crosby Dickey Dierks
Hilgert Hudkins Janssen Jensen Jones
Kremer Lynch Pedersen, Dw. Pederson, D. Preister
Quandahl Redfield Schimek Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein

Voting in the negative, 1:

Chambers

Present and not voting, 7:

Beutler Brashear Coordsen Cudaback Engel
Robak Schmitt

Excused and not voting, 10:

Bohlke Bruning Hartnett Kiel Kristensen
Landis Matzke Price Raikes Wickersham

The appointment was confirmed with 31 ayes, 1 nay, 7 present and not voting, and 10 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 1101. Title read. Considered.

The Standing Committee amendment, AM2473, found on page 839, was adopted with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers offered the following amendment:
FA307
P. 2, line 11, strike "accordance" and insert "compliance"

Senators Kremer and Connealy asked unanimous consent to be excused until they return. No objections. So ordered.

The Chambers amendment was adopted with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

Senator Chambers offered the following amendment:
FA308
P. 3, line 23, strike ", but not limited to"

Senators Jones and Coordsen asked unanimous consent to be excused until they return. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

The Chambers amendment was adopted with 27 ayes, 1 nay, 15 present and not voting, and 6 excused and not voting.

Senator Chambers offered the following amendment:
FA309
P. 2, line 21, strike "but not limited to."

Senator Chambers withdrew his amendment.

Senator Chambers moved to indefinitely postpone LB 1101.

Laid over.

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 414. Title read. Considered.

The Standing Committee amendment, AM2008, printed separately and referred to on page 508, was considered.

Senators Hilgert and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler renewed his pending amendment, AM2565, found on page 813, to the Standing Committee amendment.

Pending.

MOTION - Suspend Rules

Senator Schrock moved to suspend the rules, Rule 3, Section 13, to permit cancellation of the public hearing on LR 304 by the Natural Resources Committee.

The Schrock motion to suspend the rules prevailed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

NOTICE OF COMMITTEE HEARING
Natural Resources

LR 304	Wednesday, March 8, 2000 (cancel)	8:30 a.m.
LR 304	Wednesday, March 15, 2000 (reschedule)	8:30 a.m.

(Signed) Edward J. Schrock, Chairperson

STANDING COMMITTEE REPORTS
Appropriations

LEGISLATIVE BILL 1425. Indefinitely postponed.

(Signed) Roger R. Wehrbein, Chairperson

Revenue

The Revenue Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Tax Equalization and Review Commission
Mark Reynolds

VOTE: Aye: Senators Bohlke, Coordsen, Dierks, Hartnett, Landis, Raikes, Redfield, and Wickersham. Nay: None. Absent: None.

(Signed) William R. Wickersham, Chairperson

AMENDMENTS - Print in Journal

Senator Brown filed the following amendment to LB 1135:
AM2585

1. Insert the following new sections:

"Sec. 6. The Early Childhood Interagency Coordinating Council is created. The council shall advise and assist the collaborating agencies in carrying out the provisions of the Early Intervention Act, the Quality Child Care Act, sections 79-1101 to 79-1104, and other early childhood care and education initiatives under state supervision. The members of the council shall be appointed by the Governor according to the requirements for the state interagency coordinating council under federal law and shall include, but not be limited to:

(1) Parents of children who require early intervention services, early childhood special education, and other early childhood care and education services; and

(2) Representatives of school districts, social services, health and medical services, family child care and center-based early childhood care and education programs, agencies providing training to staff of child care programs, resource and referral agencies, mental health services, developmental disabilities services, educational service units, Head Start, higher education, physicians, the Legislature, business leaders, and the collaborating agencies.

Terms of the members shall be for three years, and a member shall not serve more than two consecutive terms. Members shall be reimbursed for their actual and necessary expenses, including child care, with funds provided for such purposes, through the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104.

Members of the Nebraska Interagency Coordinating Council serving on the effective date of this act shall constitute the Early Childhood Interagency Coordinating Council and shall serve for the remainder of the terms they are serving. The Governor shall make additional appointments to provide the representation required by this section and to fill vacancies as needed. The Governor shall set the initial terms of additional appointees at one, two, or three years to result in staggered terms for the membership of the council. The Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, and the State Department of Education shall provide and coordinate staff assistance to the Early Childhood Interagency Coordinating Council.

Sec. 7. With respect to the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104, the Early Childhood Interagency Coordinating Council shall serve in an advisory capacity to state agencies responsible for early childhood care and education, including care for school-age children in order to:

(1) Promote the policies set forth in the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104;

(2) Facilitate collaboration with the federally administered Head Start program;

(3) Make recommendations to the Department of Health and Human Services, the Department of Health and Human Services Finance and Support, the Department of Health and Human Services Regulation and Licensure, the State Department of Education, and other state agencies involved in the regulation or provision of early childhood care and education on the needs, priorities, programs, and policies relating to such programs throughout the state;

(4) Make recommendations to the lead agency or agencies which prepare and submit applications for federal funding;

(5) Review new or proposed revisions to rules and regulations governing the registration or licensing of early childhood care and education programs;

(6) Study and recommend additional resources for early childhood care and education programs; and

(7) Report biennially to the Governor and Legislature on the status of early intervention and early childhood care and education in the state.

Sec. 8. With respect to the Early Intervention Act, the Early Childhood Interagency Coordinating Council and collaborating agencies shall make recommendations regarding the following to the lead agency or agencies which shall have the responsibility and authority for:

(1) The general administration, supervision, and monitoring of programs and activities receiving federal funds under the federal early intervention program to ensure compliance with federal law;

(2) The identification and coordination of all available resources within the state from federal, state, local, and private sources;

(3) The development of procedural safeguards, including procedures for complaints and appeals, to ensure that services coordination is provided to eligible infants or toddlers with disabilities or possible disabilities and their families in a timely manner pending the resolution of any disputes among public agencies or service providers;

(4) The entry into formal interagency agreements that include components necessary to ensure meaningful cooperation and coordination; and

(5) The coordination of interagency rules and regulations pursuant to the Early Intervention Act.

Sec. 9. Section 43-2505, Revised Statutes Supplement, 1999, is amended to read:

43-2505. For purposes of the Early Intervention Act:

(1) Collaborating agencies means the Department of Health and Human Services and the State Department of Education;

(2) Developmental delay has the definition found in section 79-1118.01;

(3) Early intervention services may include services which:

(a) Are designed to meet the developmental needs of each eligible infant or toddler with disabilities and the needs of the family related to enhancing the development of their infant or toddler;

(b) Are selected in collaboration with the parent or guardian;

(c) Are provided in accordance with an individualized family service plan;

(d) Meet all applicable federal and state standards; and

(e) Are provided, to the maximum extent appropriate, in natural environments including the home and community settings in which infants and toddlers without disabilities participate;

(4) Eligible infant or toddler with disabilities means a child who needs early intervention services and is two years of age or younger, except that toddlers who reach age three during the school year shall remain eligible throughout that school year. The need for early intervention services is established when the infant or toddler experiences developmental delays or any of the other disabilities described in the Special Education Act;

(5) Federal early intervention program means the federal early intervention program for infants and toddlers with disabilities, 20 U.S.C. 1471 to 1485;

(6) Individualized family service plan means the process, periodically documented in writing, of determining appropriate early intervention services for an eligible infant or toddler with disabilities and his or her family;

(7) Interagency planning team means an organized group of interdisciplinary, interagency representatives, community leaders, and family members in each local community or region;

(8) Lead agency or agencies means the Department of Health and Human Services and State Department of Education and any other agencies designated by the Governor for general administration, supervision, and monitoring of programs and activities receiving federal funds under the federal early intervention program and state funds appropriated for early intervention services under the Early Intervention Act; and

(9) ~~Nebraska Interagency Coordinating Council means the state council the function of which is to advise and assist the collaborating agencies in carrying out the provisions of the act. The members of the council shall be appointed by the Governor and shall include, but not be limited to, representatives of school districts, social services, health and medical services, parents, mental health services, developmental disabilities services, educational service units, Head Start, higher education, physicians, the Legislature, and the collaborating agencies; and~~

~~(10)~~ Services coordination means a flexible process of interaction facilitated by a services coordinator to assist the family of an eligible infant or toddler with disabilities within a community to identify and meet their needs pursuant to the act. Services coordination under the act shall not duplicate any case management services which an eligible infant or toddler with disabilities and his or her family are already receiving or eligible to receive from other sources.

Sec. 10. Section 43-2620, Revised Statutes Supplement, 1999, is amended to read:

43-2620. The Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, and the State Department of Education shall collaborate in their activities and may:

(1) Encourage the development of comprehensive systems of child care programs and early childhood education programs which promote the wholesome growth and educational development of children, regardless of the child's level of ability;

(2) Encourage and promote the provision of parenting education, developmentally appropriate activities, and primary prevention services by program providers;

(3) Facilitate cooperation between the private and public sectors in order to promote the expansion of child care;

(4) Promote continuing study of the need for child care and early childhood education and the most effective methods by which these needs can be served through governmental and private

programs;

(5) Coordinate activities with other state agencies serving children and families;

(6) Strive to make the state a model employer by encouraging the state to offer a variety of child care benefit options to its employees;

(7) Provide training for child care providers as authorized in sections 79-1101 to 79-1103;

(8) Develop and support resource and referral services for parents and providers that will be in place statewide by January 1, 1994;

(9) Promote the involvement of businesses and communities in the development of child care throughout the state by providing technical assistance to providers and potential providers of child care;

(10) Establish a voluntary accreditation process for public and private child care and early childhood education providers, which process promotes program quality;

(11) ~~Provide and coordinate staff assistance to the Child Care and Early Childhood Education Coordinating Committee;~~

~~(12)~~ At least biennially, develop an inventory of programs and early childhood education programs provided to children in Nebraska and identify the number of children receiving and not receiving such services, the types of programs under which the services are received, and the reasons children not receiving the services are not being served; and

~~(13)~~ (12) Support the identification and recruitment of persons to provide child care for children with special needs.

Sec. 16. Section 71-1917, Revised Statutes Supplement, 1999, is amended to read:

71-1917. The biennial report required under ~~subdivision (11) of section 43-2615~~ section 7 of this act shall include:

(1) The number of license applications received under sections 71-1908 to 71-1917;

(2) The number of licenses issued under such sections;

(3) The number of license applications denied under such sections;

(4) The number of complaints investigated under such sections;

(5) The number of licenses revoked under such sections;

(6) The number and dollar amount of civil penalties levied pursuant to section 71-1915; and

(7) Information which may assist the Legislature in determining the extent of cooperation provided to the department by other state and local agencies pursuant to section 71-1914.".

2. On page 28, line 25, after the first comma insert "43-2505, 43-2620," and after "71-1,144.04," insert "71-1917,".

3. On page 29, line 1, after "39-2220," insert "43-2506, 43-2611 to 43-2614,"; in line 5 strike "and"; and in line 6 after

"1998" insert ", and sections 43-2610 and 43-2615, Revised Statutes Supplement, 1999".

4. Renumber the remaining sections accordingly.

Senator Landis filed the following amendment to LB 1135:
AM2619

(Amendments to E & R amendments, AM7206)

1. Insert the following new sections:

"Sec. 3. Section 13-2307, Reissue Revised Statutes of Nebraska, is amended to read:

13-2307. Sections 13-2301 to 13-2307 terminate on July 1, ~~2000~~ 2001.

Sec. 20. Section 81-1113, Reissue Revised Statutes of Nebraska, is amended to read:

81-1113. The budget division shall prepare the executive budget in accordance with the wishes and policies of the Governor. The budget division shall have the following duties, powers, and responsibilities:

(1) Shall prescribe the forms and procedures to be employed by all departments and agencies of the state in compiling and submitting their individual budget requests and shall set up a budget calendar which shall provide for (a) the date, not later than July 15 of each even-numbered year, for distribution of instructions, (b) the date by which time requests for appropriations by each agency shall be submitted, and (c) the period during which such public hearings as the Governor may elect shall be held for each department and agency. The budget request shall be submitted no later than on or before September 15 of each even-numbered year, shall include the intended receipts and expenditures by programs, subprograms, and activities and such additional information as the administrator may deem appropriate for each fiscal year, shall be made upon a biennial basis, and shall include actual receipts and actual expenditures for each fiscal year of the most recently completed biennium and the first year of the current biennium and estimates for the second year of the current biennium and each year of the next ensuing biennium;

(2) Shall work with each governmental department and agency in developing performance standards for each program, subprogram, and activity to measure and evaluate present as well as projected levels of expenditures;

(3) Shall, following passage of legislative appropriations, be responsible for the administration of the approved budget through budgetary allotments;

(4) Shall be responsible for a monthly budgetary report for each department and agency showing comparisons between actual expenditures and allotments which report shall be subject to review by the director and budget administrator;

(5) Shall be responsible for the authorization of employee positions. Such authorizations shall be based on the

following:

(a) A requirement that a sufficient budget program appropriation and salary limitation exist to fully fund all authorized positions;

(b) A requirement that permanent full-time positions which have been vacant for ninety days or more be reviewed and reauthorized prior to being filled. If requested by the budget division, the personnel division of the Department of Administrative Services shall review such vacant position to determine the proper classification for the position;

(c) A requirement that authorized positions accurately reflect legislative intent contained in legislative appropriation and intent bills; and

(d) Other relevant criteria as determined by the budget administrator; and

(6) Shall, beginning on July 1, ~~2000~~ 2001, administer any grant approved by the Nebraska Commission on Local Government Innovation and Restructuring which extends beyond June 30, ~~2000~~ 2001.

Sec. 29. Laws 1999, LB 880, section 191, is amended to read:

Sec. 191. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 105 - Local Government Innovation

	FY1999-00	FY2000-01
CASH FUND	203,113	-0-
PROGRAM TOTAL	203,113	-0-
SALARY LIMIT	51,385	-0-

The unobligated Cash Fund balance existing on June 30, 2000, shall be ~~lapsed~~ reappropriated for FY2000-01. ~~by the budget division of the Department of Administrative Services.~~".

2. On page 28, line 20, after the first comma insert "13-2307,"; in line 22 after the first comma insert "81-1113,"; in line 24 strike the second "and"; and in line 26 after the second comma insert "and Laws 1999, LB 880, section 191,".

3. Renumber the remaining sections accordingly.

Senator Landis filed the following amendment to LB 957:
AM2639

1. Insert the following new sections:

"Sec. 7. Section 81-15,167, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,167. Sections 81-15,167 to 81-15,176 and section 11 of this act shall be known and may be cited as the Nebraska Environmental Trust Act.

Sec. 8. Section 81-15,169, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,169. For purposes of the Nebraska Environmental Trust Act:

(1) Board ~~shall mean~~ means the Nebraska Environmental Trust Board; and

(2) ~~Fund shall mean the Nebraska Environmental Trust Fund; and~~

~~(3)~~ Trust ~~shall mean~~ means the Nebraska Environmental Trust.

Sec. 9. Section 81-15,173, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,173. The board shall have and may exercise the following powers and duties:

(1) Adopt bylaws to govern the proceedings of the board;

(2) Keep records, conduct hearings, and adopt and promulgate rules and regulations to carry out its duties and implement the Nebraska Environmental Trust Act;

(3) Contract with the Game and Parks Commission for administrative support and with governmental agencies for technical assistance;

(4) Establish environmental priorities for use of the ~~trust~~ funds;

(5) Establish ad hoc advisory boards and subcommittees;

(6) Sponsor or assist environmental proposals pertaining to the environmental priorities of the board, including issuing grants to agencies, organizations, and persons engaged in the purposes of the trust;

(7) Cooperate with or assist any unit of the state, any political subdivision, or any private, public, or federal agency, foundation, or person in furtherance of the purposes of the trust; ~~and~~

(8) Acquire and dispose of personal property in furtherance of the purposes of the trust; and

(9) Apply for or accept any ~~monetary~~ gift, grant, bequest, royalty, or donation, designate the fund to which it will be credited, and expend the proceeds in furtherance of the purposes of the trust. ~~and use it for the general purposes of the trust.~~

Sec. 10. Section 81-15,174, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,174. There is hereby established the Nebraska Environmental Trust Fund which shall be a cash fund. The fund shall be used to carry out the purposes of the Nebraska Environmental Trust Act, including administrative costs. Money in the fund shall include proceeds credited pursuant to section 9-812 and ~~any monetary gifts, grants, or donations~~ proceeds designated by the board pursuant to section 81-15,173. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 11. The Green Futures Trust Fund is created. The fund shall be used to carry out the purposes of the Nebraska Environmental Trust Act. The fund shall include proceeds designated by the board pursuant to section 81-15,173, including grants from the Nebraska Environmental Trust Fund. Grants from the Nebraska Environmental Trust Fund to the Green Futures Trust Fund shall be no more than twice the total of any other proceeds received by the Green Futures Trust Fund for the same year. Such grants, considered in the aggregate, shall in no case exceed fifty percent of the total proceeds credited to the Nebraska Environmental Trust Fund pursuant to section 9-812 for that year.

Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Allocations received by the Green Futures Trust Fund from the Nebraska Environmental Trust Fund shall not be reallocated by the board, but shall remain invested. Any interest income earned by the Green Futures Trust Fund shall be available for allocation by the board as provided in section 81-15,175.

Sec. 12. Section 81-15,175, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,175. (1) The board may make an annual allocation from the Nebraska Environmental Trust Fund to the Green Futures Trust Fund as provided in section 11 of this act. The board shall make annual allocations from the ~~fund~~ Nebraska Environmental Trust Fund and from the Green Futures Trust Fund for projects which conform to the environmental priorities of the board established pursuant to section 81-15,176 and to the extent the board determines those projects to have merit. The board shall establish an annual calendar for receiving and evaluating proposals and awarding grants. To evaluate the economic, financial, and technical feasibility of proposals, the board may establish subcommittees, request or contract for assistance, or establish advisory groups. Private citizens serving on advisory groups shall be reimbursed for their actual and necessary expenses pursuant to sections 81-1174 to 81-1177.

(2) The board shall establish a rating system for ranking proposals which meet the board's environmental priorities and other criteria. The rating system shall include, but not be limited to, the following considerations:

(a) Conformance with priorities established pursuant to section 81-15,176;

(b) Amount of funds committed from other funding sources;

(c) Encouragement of public-private partnerships;

(d) Geographic mix of projects over time;

(e) Cost-effectiveness and economic impact;

(f) Direct environmental impact; and

(g) Environmental benefit to the general public and the long-term nature of such public benefit.

(3) The results of the annual rating of proposals shall guide the board's allocation of funds, except that the board may assign a higher rating to any proposal with an affirmative vote of

eleven members. The motion for such an action shall specify the reasons for such action. The board may commit funds to multiyear projects, subject to available funds and appropriations. No commitment shall exceed three years without formal action by the board to renew the grant or contract. Multiyear commitments may be exempt from the rating process, except for the initial application and requests to renew the commitment.

(4) The board shall adopt and promulgate rules and regulations and publish guidelines governing allocations from the fund. The board shall conduct annual reviews of existing projects for compliance with project goals and grant requirements.

Sec. 13. Section 81-15,176, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,176. (1) Subject to subsection (3) of this section, the board shall establish environmental priorities for the trust. The board, after allowing opportunity for public comment, shall designate as priorities those environmental goals which most affect the natural physical and biological environment in Nebraska, including the air, land, ground water and surface water, flora and fauna, prairies and forests, wildlife and wildlife habitat, and areas of aesthetic or scenic values. In designating environmental priorities, the board shall attempt to focus on the areas which promise the greatest opportunities for effective action to achieve and preserve the future environmental quality in the state. The board shall establish priorities for five-year periods beginning July 1, 1995, except that the board may make annual modifications to refine and clarify its priorities. The board shall provide for public involvement in developing the priorities for such five-year periods, including public meetings in each of the three congressional districts.

(2) The board shall establish criteria for determining the eligibility of projects for grant assistance, ~~from the fund,~~ which criteria shall include the following:

(a) The ~~fund~~ grants shall not provide direct assistance to regulatory programs or to implement actions mandated by regulations except remediation;

(b) ~~Before January 1, 1997, no more than twenty-five percent of allocations in any year shall assist remediation of soils or ground water, and no allocation for this purpose shall occur unless all other available sources of funding are, in the opinion of the board, being substantially utilized. On and after January 1, 1997, no~~ No more than sixty percent of grant allocations in any year shall assist remediation of soils or ground water, and no ~~allocation~~ grants for this purpose shall occur unless all other available sources of funding are, in the opinion of the board, being substantially utilized;

(c) The ~~fund~~ grants shall not pay for private benefits or to relieve private liability for environmental damage;

(d) The ~~fund~~ grants shall not pay for projects which have direct beneficiaries who could afford the costs of the benefits without experiencing serious financial hardship;

(e) The ~~fund~~ grants should assist those projects which offer the greatest environmental benefits relative to cost;

(f) The ~~fund~~ grants should assist those projects which provide clear and direct environmental benefits;

(g) The ~~fund~~ grants should assist those projects which will make a real contribution to achieving the board's environmental priorities;

(h) The ~~fund~~ grants should assist those projects which offer the greatest public benefits; and

(i) The ~~fund~~ grants shall not pay for land or easements acquired without the full and express consent of the landowner.

(3) Until the first five-year priorities become effective on July 1, 1995, the board shall observe the following priorities for allocating ~~funds~~ grants:

(a) Critical habitat areas, including wetlands acquisition, preservation, and restoration and acquisition and easements of areas critical to rare or endangered species;

(b) Surface water quality, including actions to preserve lakes and streams from degradation;

(c) Ground water quality, including fostering best management practices as defined in section 46-656.07, actions to preserve ground water from degradation, and remediation of soils or ground water; and

(d) Development of recycling markets and reduction of solid waste volume and toxicity.

(4) The board may refine and clarify these initial priorities.

Sec. 14. Original sections 81-15,167, 81-15,169, 81-15,173, 81-15,174, 81-15,175, and 81-15,176, Reissue Revised Statutes of Nebraska, are repealed.".

2. Insert underscoring in original sections 1 to 6.

3. Renumber the remaining section accordingly.

Senator Thompson filed the following amendment to LB 652A:
AM2654

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. There is hereby appropriated $215,460 from the General Fund and $323,190 federal funds for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 348, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated $2,882,141 from the General Fund for FY2001-02 to the Department of Health and Human

Services, for Program 250, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $189,071 for FY2001-02.

Sec. 3. There is hereby appropriated $50,000 from the General Fund for FY2001-02 to the Department of Correctional Services, for Program 370, to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $64,344 for FY2001-02.".

RESOLUTION

LEGISLATIVE RESOLUTION 311. Introduced by Stuhr, 24; Wehrbein, 2.

WHEREAS, The next generation will be the stewards of our communities, state, nation, and world; and

WHEREAS, The present and future well-being of our society requires an involved, caring citizenry with good character; and

WHEREAS, Children need strong and constructive guidance from their families and their communities, including, but not limited to, schools, youth organizations, religious institutions, and civic groups; and

WHEREAS, The character of a nation is only as strong as the character of its individual citizens, and the public good is advanced when young people are taught that good character counts in personal relationships, in school, and in the workplace; and

WHEREAS, Conscientious efforts must be made by youth-influencing institutions and individuals to help young people develop the essential traits and characteristics that comprise good character and act upon core ethical values, such as fairness, trustworthiness, caring, responsibility, respect, and citizenship; and

WHEREAS, The University of Nebraska-Lincoln and University of Nebraska Cooperative Extension 4-H are making great strides in implementing Character Counts! throughout the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature supports the implementation and expansion of Character Counts! and the ethical value it represents throughout the State of Nebraska.
2. That a copy of this resolution be sent to Character Counts!

Laid over.

VISITORS

Visitors to the Chamber were Rick and Paula Scott from Scottsbluff; Mary Ellen Goodenberger from Trenton; Mabel Stansbury and Judy Haney from Lincoln, Linda Ridgway from Omaha, and Bonnie Pache from Arvada, Colorado; 16 seniors and teacher from Wilcox; 16 eighth grade students and teacher from Holy Ghost School in Omaha; and Cindy Bittinger from Clarks.

RECESS

At 11:52 a.m., on a motion by Senator Quandahl, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Kristensen presiding.

ROLL CALL

The roll was called and all members were present except Senators Bruning, Matzke, and Schrock who were excused; and Senators Bohlke, Bromm, Chambers, Dickey, Dierks, Jensen, Kiel, Landis, Price, Raikes, Robak, and Tyson who were excused until they arrive.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1401. Placed on Select File as amended.
(E & R amendment, AM7220, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1317. Placed on Select File as amended.
E & R amendment to LB 1317:
AM7212

1. On page 1, strike beginning with "motor" in line 1 through line 8 and insert "public records; to amend sections 37-1278, 37-1278.01, 60-106, 60-111.01, 60-308, 60-483, 60-2901, 60-2904, 60-2905, 60-2907, and 60-2910, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-4,144, and 60-4,181, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to disclosure of records regarding motorboats, motor vehicles, and motor vehicle operators; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 60-2913, Reissue Revised Statutes of Nebraska; and to declare an emergency.".

LEGISLATIVE BILL 1285. Placed on Select File as amended.

E & R amendment to LB 1285:
AM7215

1. On page 1, strike beginning with "75-156" in line 2 through line 5 and insert "75-134, 75-139.01, 75-156, 86-803, 86-1111, 86-1222, and 86-1405, Reissue Revised Statutes of Nebraska; to change provisions relating to commission orders; to change and authorize certain administrative fines; to eliminate certain penalties; to harmonize provisions; to repeal the original sections; to outright repeal section 75-145, Reissue Revised Statutes of Nebraska; and to declare an emergency.".

LEGISLATIVE BILL 953. Placed on Select File as amended.
E & R amendment to LB 953:
AM7219

1. On page 1, line 3, strike "81-1201.01" and insert "81-1201.21"; in line 7 strike "and"; and in line 8 after "sections" insert "; and to declare an emergency".

2. On page 27, line 22, strike "81-1201.01" and insert "81-1201.21".

LEGISLATIVE BILL 921. Placed on Select File as amended.
(E & R amendment, AM7218, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 709. Placed on Select File as amended.
(E & R amendment, AM7217, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1023. Placed on Select File as amended.
E & R amendment to LB 1023:
AM7216

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 71-112, Revised Statutes Supplement, 1999, is amended to read:

71-112. The professional boards provided in section 71-111 shall be designated as follows:

(1) For medicine and surgery and osteopathic medicine and surgery, Board of Medicine and Surgery;
(2) For athletic training, Board of Athletic Training;
(3) For respiratory care, Board of Respiratory Care Practice;
(4) For chiropractic, Board of Chiropractic;
(5) For dentistry and dental hygiene, Board of Dentistry;
(6) For optometry, Board of Optometry;
(7) For massage therapy, Board of Massage Therapy;
(8) For physical therapy, Board of Physical Therapy;

(9) For pharmacy, Board of Pharmacy;

(10) For audiology and speech-language pathology, Board of Audiology and Speech-Language Pathology;

(11) For medical nutrition therapy, Board of Medical Nutrition Therapy;

(12) For funeral directing and embalming, Board of Funeral Directing and Embalming;

(13) For podiatry, Board of Podiatry;

(14) For psychology, Board of Psychologists;

(15) For veterinary medicine and surgery, Board of Veterinary Medicine and Surgery; and

(16) For mental health practice, Board of Mental Health Practice.

Any change made by the Legislature of the names of boards listed in this section shall not change the membership of such boards or affect the validity of any action taken by or the status of any action pending before any of such boards. Any such board newly named by the Legislature shall be the direct and only successor to the board as previously named.

Sec. 2. Section 71-1,152.01, Revised Statutes Supplement, 1999, is amended to read:

71-1,152.01. The purpose of the Board of Veterinary Medicine and Surgery is to: (1) Provide for the health, safety, and welfare of the citizens; (2) insure that veterinarians serving the public meet minimum standards of proficiency and competency; (3) insure that schools of veterinary medicine and surgery meet the educational needs of the students and qualify students to serve the public in a safe and efficient manner; and (4) control the field of veterinary medicine and surgery in the interest of consumer protection.

Sec. 3. Section 71-1,153, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,153. Sections 71-1,152.01 to ~~71-1,185~~ 71-1,163 and sections 5 and 6 of this act shall be known and may be cited as the Nebraska Veterinary Practice Act.

Sec. 4. Section 71-1,154, Revised Statutes Supplement, 1999, is amended to read:

71-1,154. When used in the Nebraska Veterinary Practice Act and elsewhere in the Uniform Licensing Law, unless the context otherwise requires:

(1) Animal ~~shall mean~~ means any animal other than man and ~~shall include~~ includes birds, fish, and reptiles, wild or domestic, living or dead, except domestic poultry;

(2) Veterinary medicine and surgery ~~shall include~~ includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine;

(3) Practice of veterinary medicine and surgery ~~shall mean~~ means:

(a) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions, including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique, and the use of any manual or mechanical procedure for testing for pregnancy~~,~~ or for correcting sterility~~,~~ or infertility, or to render advice or recommendation with regard to any of the above;

(b) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in subdivision (a) of this subdivision; and

(c) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in subdivision (a) of this subdivision;

(4) Veterinarian ~~shall mean~~ means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or its equivalent;

(5) Licensed veterinarian ~~shall mean~~ means a person who is validly and currently licensed to practice veterinary medicine and surgery in this state;

(6) Accredited school of veterinary medicine within the meaning of the Nebraska Veterinary Practice Act ~~shall mean~~ means:

(a) One approved by the department upon the recommendation of the board;

(b) A veterinary college or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent; and

(c) One that conforms to the standards required for accreditation by the American Veterinary Medical Association;

(7) Person ~~shall mean~~ means any individual, firm, partnership, limited liability company, association, joint venture, cooperative and corporation, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of such person;

(8) Board ~~shall mean~~ means the Board of Veterinary Medicine and Surgery; ~~and~~

(9) Department ~~shall mean~~ means the Department of Health and Human Services Regulation and Licensure;

(10) Veterinary technician means an individual who has met one of the requirements of subsection (1) of section 5 of this act;

(11) Licensed veterinary technician means a veterinary technician who is validly and currently licensed as a veterinary technician in this state. Only a licensed veterinary technician may advertise or offer his or her services in a manner calculated

to lead others to believe that he or she is a veterinary technician;

(12) Unlicensed assistant means an individual who is not a veterinarian or a veterinary technician who is working in veterinary medicine;

(13) Supervisor means a licensed veterinarian or licensed veterinary technician as required by statute or rule or regulation for the particular delegated task being performed by a veterinary technician or unlicensed assistant;

(14) Immediate supervision means that the supervisor is on the premises and is in direct eyesight and hearing range of the animal and the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task;

(15) Direct supervision means that the supervisor is on the premises and is available to the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task; and

(16) Indirect supervision means that the supervisor is not on the premises but is easily accessible and has given written or oral instructions for treatment of the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task.

Sec. 5. (1) To be a veterinary technician in this state, an individual shall meet one of the following requirements:

(a) Be a graduate of an American Veterinary Medical Association approved veterinary technician program and receive a passing score on the national exam for such program as determined by the board;

(b) On the effective date of this act, be an approved animal technician certified under sections 71-1,168 to 71-1,185 as such sections existed prior to such date; or

(c) Have at least five years or more full-time experience working with a veterinarian, be employed by a veterinarian on the effective date of this act, and within three years after such date receive a passing score on the national exam described in subdivision (1)(a) of this section as determined by the board.

(2) To keep the license active, a licensed veterinary technician shall earn credit for twenty-four hours of continuing education every three years as approved by the board.

Sec. 6. The department shall adopt and promulgate rules and regulations providing for (1) licensure of veterinary technicians meeting the requirements of section 5 of this act and (2) standards for the level of supervision required for particular delegated animal health care tasks and which determine which tasks may be performed by a veterinary technician and by unlicensed assistants. The level of supervision may be immediate, direct, or indirect as determined by the department based upon the complexity and requirements of the task.

Sec. 7. Section 71-1,158, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,158. Any person desiring a license to practice veterinary medicine and surgery in this state shall make written application to the board. The application shall include:

(1) Proof ~~show~~ that the applicant is twenty-one years of age or more;

(2) Information indicating that the applicant is ~~, a graduate of an accredited veterinary school, and~~ a person of good moral character;

(3) Proof that the applicant is a graduate of an accredited school of veterinary medicine or holds a certificate issued by the American Veterinary Medical Association Education Commission for Foreign Veterinary Graduates indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine; and

(4) Such ~~and such~~ other information and proof as the board may require by rule and regulation. The application shall be accompanied by a fee of not less than seventy-five dollars nor more than two hundred dollars, the amount of such fee to be determined by a rule or regulation adopted and promulgated by the department with the approval of the board.

If the board determines that the applicant possesses the proper qualifications, the board shall admit the applicant to the next examination, or if the applicant is eligible for a license without examination under section 71-1,160, the board may forthwith recommend that he or she be issued a license. If an applicant is found not qualified to take the examination or for a license without examination, the board shall immediately notify the applicant in writing of such finding and the grounds therefor.

Sec. 8. Section 71-1,160, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,160. The board may direct the issuing of a license without a written examination to a qualified applicant who furnishes satisfactory proof required under subdivision (3) of section 71-1,158 ~~that he or she is a graduate of an accredited veterinary school~~ and who:

(1) Has for one year prior to filing his or her application been a practicing veterinarian licensed in a state, territory, or district of the United States having license requirements, at the time the applicant was first licensed, which were substantially equivalent to the requirements of the Nebraska Veterinary Practice Act; or

(2) Has prior to filing his or her application successfully completed and passed the examination conducted by the National Board of Veterinary Examiners.

At its discretion, the board may orally or practically examine any person qualifying for licensing under this section.

Sec. 9. Section 71-1,161, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,161. The board may recommend to the department the issuance of a temporary license to practice veterinary medicine and surgery upon receipt of a fee of fifty dollars and the completed application to (1) any person who has a current license to practice veterinary medicine and surgery in another state, territory, or district of the United States or (2) any person who ~~has graduated from an approved veterinary school~~ furnishes satisfactory proof required under subdivision (3) of section 71-1,158 and has passed an examination conducted by the National Board of Veterinary Examiners. Such temporary license shall be valid until the date on which the results of the next licensure examination are available to the department and it may not be renewed. The holder of a temporary license shall be entitled to practice veterinary medicine and surgery.

Sec. 10. Original sections 71-1,153, 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999, are repealed.

Sec. 11. The following sections are outright repealed: Sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.".

2. On page 1, strike beginning with "veterinarians" in line 1 through line 5 and insert "veterinary practice; to amend sections 71-1,153, 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999; to rename a board; to provide for licensure of veterinary technicians; to change veterinarian licensure provisions; to eliminate animal technician provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.".

LEGISLATIVE BILL 1085. Placed on Select File as amended.
E & R amendment to LB 1085:
AM7221

1. Strike original section 1 and all amendments thereto and insert the following new section:

"Section 1. Section 29-3931, Revised Statutes

Supplement, 1998, is amended to read:

29-3931. ~~The~~ In cases in which the capital litigation division, appellate division, or major case resource center has been appointed, the chief counsel shall make a showing to the county or district court for the county in which the prosecution arose regarding the commission's cost of defense. The chief counsel shall consider the complexity of the case, the amount of expenses involved, and the ability of the county to pay the costs, in determining how often to make a showing to the court. A showing shall be made no more than once a month and shall be made once after the case is completed. The cost shall be based upon (1) the actual time spent by commission staff attorneys and their hourly rates of pay, including benefits, (2) a reasonable amount for administrative and support staff time, (3) the actual expenditures for litigation support, such as expert witnesses, depositions, photocopying, printing, and travel and lodging expenses, and (4) a reasonable amount for office overhead, including rent, telephone, and utilities. The cost of defense shall not include any expense incurred by the commission's staff for travel time or mileage between the commission's office and the place where the particular case's venue is had or for lodging and meals when the staff must be away from the office for more than one day. After a hearing, the county or district court shall order the county to pay one-third of the commission's cost of defense. The county shall pay the costs to the commission which shall remit the amount to the State Treasurer for credit to the County Revenue Assistance Fund. In cases in which commission staff is using money to represent indigent clients and that money is associated with any federal grant money or state match money, the chief counsel shall only bill counties for actual expenditures for litigation support, such as expert witnesses, depositions, photocopying, printing, and travel and lodging expenses.".

2. On page 1, line 4, strike "operations" and insert "the cost of defense".

LEGISLATIVE BILL 1197. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1379A. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1379, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

AMENDMENT - Print in Journal

Senator D. Pederson filed the following amendment to LB 1448:
AM2659

1. On page 3, after line 13, insert "Claim No. 00-337, against the Attorney General's Office, pay to Jeff Meyer, 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund 500.00 in line 18 strike "270,136.77" and insert "270,636.77"; and in line 20 strike "293,336.77" and insert "293,836.77".

SELECT FILE

LEGISLATIVE BILL 652. Advanced to E & R for engrossment.

LEGISLATIVE BILL 652A. E & R amendment, AM7194, found on page 693, was adopted.

Senator Thompson withdrew her amendments, AM2537 and AM2556, found on pages 798 and 853.

Senator Thompson renewed her pending amendment, AM2654, found in this day's Journal.

The Thompson amendment was adopted with 30 ayes, 0 nays, 4 present and not voting, and 15 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 922. E & R amendment, AM7195, found on page 693, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 922A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1125. E & R amendment, AM7198, found on page 703, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 950. E & R amendment, AM7200, found on page 703, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 950A. Senator Byars renewed his pending amendment, AM2438, found on page 713.

The Byars amendment was adopted with 33 ayes, 0 nays, 3 present and not voting, and 13 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1190. E & R amendment, AM7203, found on page 764, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 717. E & R amendment, AM7204, found on page 781, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 717A. Senator Preister renewed his pending amendment, AM2543, found on page 809.

The Preister amendment was adopted with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 994. E & R amendment, AM7208, printed separately and referred to on page 811, was adopted.

Advanced to E & R for engrossment.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 305, 306, 307, and 308 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 305, 306, 307, and 308.

SENATOR CUDABACK PRESIDING

UNANIMOUS CONSENT - Member Excused

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 557. E & R amendment, AM7207, found on page 812, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE RESOLUTION 291CA. Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 414. The Beutler pending amendment, AM2565, found on page 813 and considered in this day's Journal, to the Standing Committee amendment, was renewed.

The Beutler amendment was adopted with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senators Brashear, Kiel, and Lynch asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

Senator Beutler requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 28:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Chambers Connealy
Crosby Dickey Hartnett Hilgert Hudkins
Jensen Kristensen Landis Pedersen, Dw. Price
Quandahl Raikes Robak Schimek Smith
Suttle Thompson Wehrbein

Voting in the negative, 12:

Byars Coordsen Dierks Engel Jones
Kremer Pederson, D. Preister Redfield Stuhr
Tyson Vrtiska

Present and not voting, 4:

Cudaback Janssen Schmitt Wickersham

Excused and not voting, 5:

Bruning Kiel Lynch Matzke Schrock

Advanced to E & R for review with 28 ayes, 12 nays, 4 present and not

voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

AMENDMENTS - Print in Journal

Senator Hilgert filed the following amendment to LB 925:
AM2593

1. Insert the following new sections:

"Section 1. Section 68-1713, Revised Statutes Supplement, 1998, is amended to read:

68-1713. (1) The Department of Health and Human Services shall submit a waiver request or requests to the United States Department of Health and Human Services and the United States Department of Agriculture as necessary for federal authorization to implement the provisions of the Welfare Reform Act. The Department of Health and Human Services may include the provisions of sections 68-1718 to 68-1726 in its waiver requests and shall designate counties for implementation on or after July 1, 1995, of such sections for recipient families in the aid to dependent children program. It is the intent of the Legislature that such designated counties include at least one county with a population of not more than thirty-five thousand inhabitants and one county with a population of at least one hundred fifty thousand inhabitants but not more than three hundred thousand inhabitants.

The Department of Health and Human Services shall implement the following policies:

(a) Permit Work Experience in Private for Profit Enterprises;

(b) Permit Job Search to Extend Beyond Eight Weeks Each Year;

(c) Permit Employment to be Considered a JOBS Program Component;

(d) Make Sanctions More Stringent to Emphasize Participant Obligations;

(e) Alternative Hearing Process;

(f) Permit Adults in Two-Parent Households to Participate in JOBS Activities Based on Their Self-Sufficiency Needs;

(g) Eliminate Exemptions for Individuals with Children Between the Ages of ~~12 Weeks~~ Twelve Months and Age Six;

(h) Providing Poor Working Families with Transitional Child Care to Ease the Transition from Welfare to Self-Sufficiency;

(i) Provide Transitional Health Care for 24 Months After Termination of ADC;

(j) Cap Family Benefits Based on the Number of Children in the Unit at the Time of Initial Eligibility;

(k) Require Adults to Ensure that Children in the Family Unit Attend School;

(l) Encourage Minor Parents to Live with Their Parents;

(m) Establish a Resource Limit of $4,000 for a single individual and $6,000 for two or more individuals for ADC;

(n) Exclude the Value of One Vehicle Per Family When Determining ADC Eligibility;

(o) Exclude the Cash Value of Life Insurance Policies in Calculating Resources for ADC;

(p) Permit the Self-Sufficiency Contract Assessment to Substitute for the Six-Month ADC Redetermination Process;

(q) Establish Food Stamps as a Continuous Benefit with Eligibility Reevaluated with Yearly Redeterminations;

(r) Establish a Budget the Gap Methodology Whereby Countable Earned Income is Subtracted from the Standard of the Need and Payment is Based on the Difference or Maximum Payment Level, Whichever is Less. That this Gap be Established at a Level that Encourages Work but at Least at a Level that Ensures that Those Currently Eligible for ADC do not Lose Eligibility Because of the Adoption of this Methodology;

(s) Adopt the Food Stamp Program's Earned Income Disregard of Twenty Percent of Gross Earnings in the ADC and Related Medical Assistance Program;

(t) Disregard Financial Assistance Received Intended for Books, Tuition, or Other Self-Sufficiency Related Use;

(u) Culture: Eliminate the 100-Hour Rule, The Quarter of Work Requirement, and The 30-Day Unemployed/Underemployed Period for ADC-UP Eligibility;

(v) Make ADC a Time-Limited Program;

(w) Eliminate Self-Initiated Training as a JOBS Option; and

(x) Other Waivers: Statewide Operation of the Demonstration Project.

At the end of the first year of implementation, the department shall identify any adjustments or adaptations that may be needed before the policies of the Welfare Reform Act are implemented in other areas of the state. Such review shall include an evaluation of the impact of such policies. The department shall implement the policies in additional counties as necessary to complete statewide implementation.

(2) The Department of Health and Human Services shall (a) apply for a waiver to allow for a sliding-fee schedule for the population served by the caretaker relative program or (b) pursue other public or private mechanisms, to provide for transitional health care benefits to individuals and families who do not qualify for cash assistance. It is the intent of the Legislature that transitional health care coverage be made available on a sliding-scale basis to individuals and families with incomes up to one hundred eighty-five percent of the federal poverty level if

other health care coverage is not available.

Sec. 2. Section 68-1723, Reissue Revised Statutes of Nebraska, is amended to read:

68-1723. (1) Cash assistance shall be provided only while recipients are actively engaged in the specific activities outlined in the self-sufficiency contract developed under section 68-1719. If the recipients are not actively engaged in these activities, no cash assistance shall be paid.

(2) Recipient families with at least one adult with the capacity to work, as determined by the comprehensive assets assessment, shall participate in the self-sufficiency contract as a condition of receiving cash assistance. If any such adult fails to cooperate in carrying out the terms of the contract, the family shall be ineligible for cash assistance.

(a) Adult members of recipient families whose youngest child is between the ages of twelve weeks and ~~six~~ twelve months shall engage in an individually determined number of part-time hours in activities such as family nurturing, preemployment skills, or education.

(b) Participation in activities outlined in the self-sufficiency contract shall not be required for one parent of a recipient family whose youngest child is under the age of twelve ~~weeks~~ months.

(c) The two-year time limit on cash assistance under section 68-1724 shall be extended: (i) To cover the ~~twelve-week postpartum recovery~~ twelve-month postpartum period for children born to recipient families; and (ii) to recognize special medical conditions of such children requiring the presence of at least one adult member of the recipient family, as determined by the state, which extend past the age of twelve ~~weeks~~ months.

(d) Full participation in the activities outlined in the self-sufficiency contract shall be required for adult members of a recipient family whose youngest child is over the age of ~~six~~ twelve months.

(e) Full participation in the activities outlined in the self-sufficiency contract and the two-year time limit on cash assistance under section 68-1724 shall begin for a minor parent when: (i) The minor parent graduates from high school; (ii) the minor parent receives his or her General Education Development diploma; or (iii) the minor parent reaches nineteen years of age.

(f) In cases in which the only adults in the recipient family do not have parental responsibility which shall mean such adults are not the biological or adoptive parents or stepparents of the children in their care, and assistance is requested for all family members, including the adults, the family shall participate in the activities outlined in the self-sufficiency contract as a condition of receiving cash assistance.

(g) Unemployed or underemployed absent and able-to-work parents of children in the recipient family may participate in self-sufficiency contracts, employment, and payment of child support, and such absent parents may be required to pay all or a part of the costs of the self-sufficiency contracts.

(3) Individual recipients and recipient families shall have the right to request an administrative hearing (a) for the purpose of reviewing compliance by the state with the terms of the self-sufficiency contract or (b) for the purpose of reviewing a determination by the department that the recipient or recipient family has not complied with the terms of the self-sufficiency contract. It is the intent of the Legislature that an independent mediation appeal process be developed as an option to be considered.

Sec. 3. Section 68-1724, Reissue Revised Statutes of Nebraska, is amended to read:

68-1724. (1) Cash assistance shall be provided for a period or periods of time not to exceed a total of two years for recipient families with children subject to the following:

(a) If the state fails to meet the specific terms of the self-sufficiency contract developed under section 68-1719, the two-year time limit established in this section shall be extended for an additional period of not more than two years;

(b) The two-year time period for cash assistance shall begin when the self-sufficiency contract is signed or when any children born into the recipient family prior to the initial ten months of assistance reach the age of ~~six~~ twelve months, whichever is later;

(c) When no longer eligible to receive cash assistance, assistance shall be available to reimburse work-related child care expenses even if the recipient family has not achieved economic self-sufficiency. The amount of such assistance shall be based on a cost-shared plan between the recipient family and the state which shall provide assistance up to one hundred eighty-five percent of the federal poverty level for up to twenty-four months. A recipient family may be required to contribute up to twenty percent of such family's gross income for child care. It is the intent of the Legislature that transitional health care coverage be made available on a sliding-scale basis to individuals and families with incomes up to one hundred eighty-five percent of the federal poverty level if other health care coverage is not available;

(d) After receiving cash assistance under this section for two years at a monthly payment level not exceeding that provided in section 43-512, families shall receive no further cash assistance pursuant to this section for at least two years after the assistance period ends; and

(e) The self-sufficiency contract shall be revised and the two-year time period for cash assistance extended when there is no job available for adult members of the recipient family. It is the intent of the Legislature that available job shall mean a job which results in an income of at least equal to the amount of cash assistance that would have been available if receiving assistance minus unearned income available to the recipient family.

The department shall develop policy guidelines to allow for cash assistance to persons who have received the maximum cash assistance provided by this section and who face extreme hardship without additional assistance. For purposes of this section, extreme hardship means a recipient family does not have adequate cash resources to meet the costs of the basic needs of food, clothing, and housing without continuing assistance or the child or children are at risk of losing care by and residence with their parent or parents.

(2) Cash assistance conditions under the Welfare Reform Act shall be as follows:

(a) Adults in recipient families shall mean individuals at least nineteen years of age living with and related to a child eighteen years of age or younger and shall include parents, siblings, uncles, aunts, cousins, or grandparents, whether the relationship is biological, adoptive, or step;

(b) The payment standard shall be based upon family size. Any child born into the recipient family after the initial ten months of participation in the program shall not increase the cash assistance payment, except that child support or other income received on behalf of such child or children shall not be considered as countable income to the recipient family in determining the amount of their cash assistance payment;

(c) The adults in the recipient family shall ensure that the minor children regularly attend school. Education is a valuable personal resource. The cash assistance provided to the recipient family may be reduced when the parent or parents have failed to take reasonable action to encourage the minor children of the recipient family ages sixteen and under to regularly attend school. No reduction of assistance shall be such as may result in extreme hardship. It is the intent of the Legislature that a process be developed to insure communication between the case manager, the parent or parents, and the school to address issues relating to school attendance;

(d) Two-parent families which would otherwise be eligible under section 43-504 or a federally approved waiver shall receive cash assistance under this section;

(e) For minor parents, the assistance payment shall be based on the minor parent's income. If the minor parent lives with at least one parent, the family's income shall be considered in determining eligibility and cash assistance payment levels for the minor parent. If the minor parent lives independently, support shall be pursued from the parents of the minor parent. If the absent parent of the minor's child is a minor, support from his or her parents shall be pursued. Support from parents as allowed under this subdivision shall not be pursued when the family income is less than three hundred percent of the federal poverty guidelines; and

(f) For adults who are not biological or adoptive parents or stepparents of the child or children in the family, if assistance is requested for the entire family, including the adults, a self-sufficiency contract shall be entered into as provided in section 68-1719. If assistance is requested for only the child or children in such a family, such children shall be eligible after consideration of the family's income and if (i) the family cooperates in pursuing child support and (ii) the minor children of the family regularly attend school.

Sec. 12. Original sections 68-1723 and 68-1724, Reissue Revised Statutes of Nebraska, and section 68-1713, Revised Statutes Supplement, 1998, are repealed.".

2. On page 3, line 5; page 6, line 10; page 7, line 16; and page 8, line 15, strike "3" and insert "6".

3. On page 8, line 16, strike "This act becomes" and insert "Sections 1 to 3, 10, and 12 of this act become operative on their effective date. The other sections of this act become"; and in line 18 strike "a" and insert "as".

4. Renumber the remaining sections accordingly.

Senator Coordsen filed the following amendment to LB 968:
AM2479
(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new sections:

"Sec. 42. Section 77-1511, Reissue Revised Statutes of Nebraska, is amended to read:

77-1511. The Tax Equalization and Review Commission shall hear appeals and cross appeals taken under section 77-1510 as in equity and without a jury and determine anew all questions raised before the county board of equalization which relate to the liability of the property to assessment, or the amount thereof. The commission shall affirm the action taken by the board unless ~~evidence is adduced establishing that the action of the board was unreasonable or arbitrary or unless evidence is adduced establishing that the property of the appellant is assessed too low~~ the appellant establishes by a preponderance of the evidence that the assessed value exceeds actual value or the property was not equalized with other similar property in the county. In any other appeal heard by the commission, the commission shall affirm the decision of the appellee unless the appellant establishes by a preponderance of the evidence that the decision complained of is in violation of the constitution, law, or applicable rules and regulations. Any decision rendered by the commission shall be certified to the county treasurer and to the officer charged with the duty of preparing the tax list, and if and when such decision becomes final, such officers shall correct their records accordingly.

Sec. 57. Section 77-5016, Revised Statutes Supplement, 1999, is amended to read:

77-5016. All cases appealed to the commission shall be granted an informal hearing unless a formal hearing is granted as determined by the commission according to its rules and regulations. In cases appealed to the commission:

(1) The commission may admit and give probative effect to evidence which possesses probative value commonly accepted by reasonably prudent persons in the conduct of their affairs. It shall give effect to the rules of privilege recognized by law. It may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence. ~~Any party to a formal hearing before the commission, from which a decision may be appealed to the courts of this state, may request that the commission be bound by the rules of evidence applicable in district court by delivering to the commission at least three days prior to the holding of the hearing a written request.~~ Any party to an appeal filed under section 77-5007 may request a formal hearing by delivering a written request to the commission not more than thirty days after the appeal is filed. The request shall include the requesting party's agreement to be liable for the payment of costs incurred and upon any appeal or review, including the cost of court reporting services which the requesting party shall procure for the hearing. The commission shall be bound by the rules of evidence applicable in district court in any formal hearing held by the commission. All costs of a formal hearing shall be paid by the party or parties against whom a final decision is rendered;

(2) The commission may administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents, statistical analysis, and testimony, and cause the depositions of witnesses residing either within or without the state to be taken in the manner prescribed by law for taking depositions in civil actions in the district court;

(3) All evidence including records and documents in the possession of the commission of which it desires to avail itself shall be offered and made a part of the record in the case. No other factual information or evidence shall be considered in the determination of the case. Documentary evidence may be received in the form of copies or excerpts or by incorporation by reference;

(4) Every party shall have the right of cross-examination of witnesses who testify and shall have the right to submit rebuttal evidence;

(5) The commission may take notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within its specialized knowledge or statistical information regarding general levels of assessment within a county or a class or subclass of property within a county and measures of central tendency within such county or classes or subclasses within such county which have been made known to the commission. Parties shall be notified either before or during the

hearing or by reference in preliminary reports or otherwise of the material so noticed. They shall be afforded an opportunity to contest the facts so noticed. The commission may utilize its experience, technical competence, and specialized knowledge in the evaluation of the evidence presented to it;

(6) Any person testifying under oath at a hearing who knowingly and intentionally makes a false statement to the commission or its designee is guilty of perjury. For the purpose of this section, perjury is a Class I misdemeanor; and

(7) The commission shall hear appeals and cross appeals taken under section 77-5007 as in equity and without a jury and determine de novo all questions raised before the county board of equalization or the Property Tax Administrator which relate to the liability of the property to assessment or the amount thereof. The commission shall affirm the action taken by the board or Property Tax Administrator unless ~~evidence is adduced establishing that the action of the board or the Property Tax Administrator was unreasonable or arbitrary~~ the appellant establishes by a preponderance of the evidence that the assessed value exceeds actual value or the property was not equalized with other similar property in the county. In any other appeal heard by the commission, the commission shall affirm the decision of the appellee unless the appellant establishes by a preponderance of the evidence that the decision complained of is in violation of the constitution, law, or applicable rules and regulations. Any decision rendered by the commission shall be certified to the parties and, if applicable, to the county treasurer and the official charged with the duty of preparing the tax list. When such decision becomes final, any officials shall correct their records accordingly.".

2. Renumber the remaining sections accordingly and correct the repealer and operative date sections so that the sections added by this amendment become operative on their effective date with the emergency clause.

Senator Dierks filed the following amendment to LB 957:
AM2676

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Increasing levels of carbon dioxide and other greenhouse gases in the atmosphere has led to growing interest in national and international forums for implementing measures to slow and reverse the buildup of such atmospheric constituents. Such measures may potentially include the establishment of systems of trading in credits for adoption of practices, technologies, or other measures which decrease net emissions of carbon dioxide and other greenhouse gases.

Improved agricultural production methods, soil conservation practices, and other methods of stewardship of soil resources have great potential to increase carbon sequestration on agricultural lands and help offset carbon dioxide emissions from other sectors of the economy. It is in the interest of agricultural producers and the public in general that the Nebraska Natural Resources Commission document and quantify carbon sequestration and greenhouse emissions reductions associated with agricultural practices, management systems, and land uses occurring on cropland and rangeland in Nebraska. It is the intent of the Legislature that efforts to quantify and verify carbon sequestration on agricultural land will enhance the ability of the state's agricultural landowners to participate in any system of carbon or greenhouse emissions marketing or trading.

Sec. 2. (1) The Carbon Sequestration Advisory Committee is created. The committee shall consist of the following members appointed by the Governor:

(a) The Director of Agriculture or his or her designee;

(b) The Director of Natural Resources or his or her designee;

(c) The Director of Environmental Quality or his or her designee;

(d) One member representing the Natural Resources Conservation Service of the United States Department of Agriculture;

(e) One member representing the University of Nebraska Institute of Agriculture and Natural Resources;

(f) One member representing the Nebraska Energy Office;

(g) One member representing an entity which generates electrical energy;

(h) Two members who are producers of field crops at least one of whom actively employs a minimum tillage management system in his or her farming operation;

(i) Two members who are producers of livestock at least one of whom is actively involved in range management;

(j) One member with expertise in greenhouse emissions marketing or trading;

(k) One member representing natural resources districts; and

(l) One member representing the ethanol industry.

(2) Members of the committee shall serve without compensation but shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177. The Director of Natural Resources shall assist the committee with administrative and operational support. The Nebraska Natural Resources Commission may advise the committee in the performance of its duties under sections 1 to 6 of this act.

Sec. 3. The Carbon Sequestration Advisory Committee shall:

(1) Advise and assist the Director of Natural Resources in preparing the reports pursuant to sections 4 and 5 of this act

and in conducting the assessment pursuant to section 5 of this act;

(2) Recommend policies or programs to enhance the ability of Nebraska agricultural landowners to participate in systems of carbon trading. Such recommendations shall include potential policies or programs designed to optimize economic benefits to agricultural producers participating in carbon trading transactions. Such policies or programs may include, but are not limited to, identifying existing or the potential of creating nonprofit organizations or other public or private entities capable of serving as assemblers of carbon credits or as intermediaries on behalf of producers in carbon trading systems;

(3) Encourage the production of educational and advisory materials regarding carbon sequestration on agricultural lands and participation in systems of carbon or greenhouse emissions trading; and

(4) Identify and recommend areas of research needed to better understand and quantify the processes of carbon sequestration on agricultural lands.

Sec. 4. On or before December 1, 2001, the Director of Natural Resources, in consultation with the Carbon Sequestration Advisory Committee, shall prepare a report to the Legislature. The report shall include, but not be limited to:

(1) The potential for, and potential forms of, greenhouse emissions regulation;

(2) The potential for development of a system or systems of carbon emissions trading or markets for carbon sequestered on agricultural land;

(3) Agricultural practices, management systems, or land uses which increase stored soil carbon and minimize carbon dioxide or other greenhouse emissions associated with agricultural production;

(4) Methods for measuring and modeling net carbon sequestration and greenhouse emissions reduction associated with various agricultural practices, management systems, or land uses occurring on agricultural land;

(5) Areas of scientific uncertainty with respect to quantifying and understanding greenhouse emission reductions or soil carbon sequestration associated with agricultural activities; and

(6) Any recommendations of the Carbon Sequestration Advisory Committee developed pursuant to section 3 of this act.

Sec. 5. (1) The Director of Natural Resources shall, in consultation with the Carbon Sequestration Advisory Committee, assess agricultural lands in the State of Nebraska for past carbon sequestration and future carbon sequestration potential. The assessment shall seek to quantify carbon sequestration associated with various agricultural practices, management systems, and land uses occurring on agricultural lands in this state. On or before January 1, 2002, the director shall publish a report of the findings. The director may, from time-to-time, update such findings as advancements in understanding of the processes of carbon sequestration and new data become available.

(2) The assessment shall be conducted in a manner that shall provide a means for owners of agricultural land to estimate past and future net carbon sequestration resulting from agricultural practices, conservation measures, management systems, and land uses occurring on their property. The Director of Natural Resources may contract and cooperate with the Natural Resources Conservation Service of the United States Department of Agriculture to conduct assessment activities provided for in this section.

(3) The director may apply for and accept grants, gifts, or other sources of public and private funds to carry out the purposes of sections 1 to 6 of this act.

Sec. 6. The Carbon Sequestration Assessment Cash Fund is created. The fund shall be used to carry out sections 1 to 6 of this act. The State Treasurer shall credit to the fund any money appropriated to the fund by the Legislature and any money received as gifts, grants, or other contributions from public or private sources obtained for the purposes of sections 1 to 6 of this act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.".

Senator Chambers filed the following amendment to LB 973:
FA310
Amend AM2218
Page 1, lines 12, 13, strike "for personal use,"

Senator Chambers filed the following amendment to LB 973:
(Amendment, AM2647, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

RESOLUTIONS

LEGISLATIVE RESOLUTION 312. Introduced by Connealy, 16.

WHEREAS, the Arlington High School girls' basketball team won the Class C-1 Girls' State High School Basketball Championship with a 36 to 34 victory over Chadron; and

WHEREAS, the team won 23 of 26 games played this season; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Arlington High School girls' basketball team be congratulated for their exemplary effort this season and in the Girls' State High School

Basketball Tournament.
2. That a copy of this resolution be sent to Coach Tom Schumacher and the Arlington High School.

Laid over.

LEGISLATIVE RESOLUTION 313. Introduced by Kiel, 9; Bourne, 8; Hilgert, 7; Hartnett, 45; Thompson, 14; Tyson, 19; Wickersham, 49.

WHEREAS, the Creighton University men's basketball team, the Bluejays, won the championship of the Missouri Valley Conference on March 6, 2000; and
WHEREAS, Coach Dana Altman and the Creighton Bluejays posted a 23-9 season record; and
WHEREAS, as Missouri Valley Conference champions, the Creighton Bluejays have won a berth in the NCAA tournament; and
WHEREAS, Creighton became only the third team in the 23-year history of the Missouri Valley Conference tournament to win back to back titles.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Legislature congratulates the Creighton University men's basketball team.
2. That a copy of this resolution be sent to Coach Dana Altman at Creighton University.

Laid over.

NOTICE OF COMMITTEE HEARING
General Affairs

Wednesday, March 29, 2000 1:00 p.m.
Nebraska Advisory Commission on Compulsive Gambling
Jerry Bauerkemper
Thomas Nutt
Judy Streeks
Nebraska Arts Council
Thompson Rogers

(Signed) Ray Janssen, Chairperson

STANDING COMMITTEE REPORTS
Business and Labor

The Business and Labor Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Commission of Industrial Relations
Brenda Council

Nebraska Boiler Safety Code Advisory Board
James E. Marvin

VOTE: Aye: Senators Vrtiska, Hilgert, Preister, and Schimek. Nay: None. Absent: Senators Chambers, Dierks, and Redfield.

(Signed) Floyd P. Vrtiska, Chairperson

Health and Human Services

LEGISLATIVE BILL 1427. Placed on General File as amended.
(Standing Committee amendment, AM2662, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Jim Jensen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1092. Title read. Considered.

PRESIDENT MAURSTAD PRESIDING

The Standing Committee amendment, AM2552, found on page 820, was considered.

Senator Robak offered the following amendment to the Standing Committee amendment:
AM2633
(Amendments to Standing Committee amendments)
1. On page 1, line 4, strike "August 1, 2001" and insert "June 1, 2002"; in line 14 strike "all aspects of"; and in line 16 strike "all".
2. On page 2, line 5, strike "December 15, 2000" and insert "November 15, 2001"; and in line 25 strike "2005" and insert "2006".
3. On page 3, line 8, strike "2003" and insert "2004".

Senator Coordsen asked unanimous consent to be excused. No objections. So ordered.

The Robak amendment was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 213. Title read. Considered.

The Standing Committee amendment, AM2068, found on page 449, was adopted with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

Senator Dierks renewed his pending amendment, AM2380, found on page 642.

The Dierks amendment was adopted with 28 ayes, 0 nays, 12 present and not voting, and 9 excused and not voting.

Senator Wickersham asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 29 ayes, 0 nays, 10 present and not voting, and 10 excused and not voting.

WITHDRAW - Cointroducer

Senator Baker withdrew his name as cointroducer to LB 1234.

VISITORS

Visitors to the Chamber were Sherry Fletcher and Donna Diller from Beatrice; and 48 fourth grade students and teacher from Riley Elementary School, Lincoln.

ADJOURNMENT

At 4:28 p.m., on a motion by Senator Byars, the Legislature adjourned until 9:00 a.m., Wednesday, March 8, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

THIRTY-NINTH DAY - MARCH 8, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 8, 2000

PRAYER

The prayer was offered by Dr. Andrew McDonald, Westminster Presbyterian Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Hudkins, Schmitt, and Schrock who were excused; and Senators Bohlke, Byars, Hilgert, Kiel, and Landis who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

STANDING COMMITTEE REPORT
Transportation and Telecommunications

LEGISLATIVE BILL 1080. Placed on General File as amended.
Standing Committee amendment to LB 1080:
AM2668

1. On page 2, line 25, after "agency" insert "or political subdivision".
2. On page 3, strike beginning with "A" in line 2 through "section" in line 4 and insert "The Secretary of State"; in line 4 after "regulations" insert "to carry out this section"; in line 16 strike "act" and insert "section"; and strike beginning with "The" in line 24 through the period in line 25 and show as stricken.

(Signed) Curt Bromm, Chairperson

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 309 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 309.

UNANIMOUS CONSENT - Members Excused

Senators Brown and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 1107A. Title read. Considered.

Advanced to E & R for review with 25 ayes, 0 nays, 13 present and not voting, and 11 excused and not voting.

MOTION - Return LR 20CA to Select File

Senator Stuhr moved to return LR 20CA to Select File for her specific amendment, AM2570, found on page 863.

The Stuhr motion to return prevailed with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE RESOLUTION 20CA. The Stuhr specific amendment, AM2570, found on page 863, was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Advanced to E & R for reengrossment.

GENERAL FILE

LEGISLATIVE BILL 628. Title read. Considered.

The Standing Committee amendment, AM2142, found on page 496, was considered.

Senators Brashear and Bruning renewed their pending amendment, AM2492, found on page 757, to the Standing Committee amendment.

Senators Robak and Thompson asked unanimous consent to be excused until they return. No objections. So ordered.

The Brashear-Bruning amendment was adopted with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

Senator Coordsen renewed his pending amendment, AM2566, found on page 836, to the Standing Committee amendment.

The Coordsen amendment was adopted with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator Coordsen renewed his pending amendment, AM2577, found on page 836, to the Standing Committee amendment.

The Coordsen amendment was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 735. Placed on General File as amended.
Standing Committee amendment to LB 735:
AM2653

1. Strike the original sections and insert the following new sections:

"Section 1. Section 43-2606, Revised Statutes Supplement, 1999, is amended to read:

43-2606. (1) The Department of Health and Human Services Regulation and Licensure shall adopt and promulgate rules and regulations for mandatory training requirements for providers of child care and school-age-care programs pursuant to this section. Such requirements shall include preservice orientation and at least four hours of annual inservice training. All child care programs required to be licensed under section 71-1911 shall show completion of a preservice orientation approved or delivered by the department prior to receiving a provisional license.

(2) The department shall initiate a system of documenting the training levels of staff in specific child care settings to assist parents in selecting optimal care settings.

(3) The training requirements shall be designed to meet the health, safety, and developmental needs of children and shall be tailored to the needs of licensed providers of child care

programs.

(4) A director of a program licensed pursuant to section 71-1911, other onsite supervisor, and staff counted as part of the staff ratio of the program and employed twenty or more hours per week shall annually obtain a minimum of twenty-two hours of training, including (a) training in more than one of the following topical areas: Child development, guidance, discipline, developmentally appropriate practices, nutrition, health, safety, communication skills, professionalism, business practices, or multicultural competence and (b) maintaining current certification for training in infant, child, and adult cardiopulmonary resuscitation and first aid. At least eight hours of such training shall be obtained in a group setting approved by the department. The Early Childhood Training Center shall establish procedures for approval of trainers and training designed to meet the training requirements of this section. The remaining hours of training may be obtained through self-study using training materials approved by the center or an accredited postsecondary educational institution. The requirements of this section shall be waived for the first year of employment if such training or its equivalent has been obtained within six months of commencing such employment.

(5)(a) Staff of a program licensed pursuant to section 71-1911 counted as part of the staff ratio and employed fewer than twenty hours per week shall annually obtain a minimum of twelve clock hours of training, including (a) training in more than one of the following topical areas: Child development, guidance, and discipline, developmentally appropriate practices, nutrition, health, safety, communication skills, professionalism, business practices, or multicultural competence and (b) maintaining current certification for training in infant, child, and adult cardiopulmonary resuscitation and first aid. At least six hours of such training shall be obtained in a group setting approved by the department. The Early Childhood Training Center shall establish procedures for approval of trainers and training designed to meet the training requirements of this section. The remaining hours of training may be obtained through self-study using training materials approved by the center or an accredited postsecondary educational institution. The requirements of this section shall be waived for the first year of employment if such training or its equivalent has been obtained within six months of commencing such employment.

(6) The department shall in coordination with the State Department of Education provide or arrange for training opportunities throughout the state and shall provide information regarding training opportunities to all providers of ~~child care~~ programs licensed pursuant to section 71-1911 at the time of registration or licensure, when renewing a registration, or on a yearly basis following licensure.

~~(5) Each provider~~ (7) The director, onsite supervisor, and staff of ~~child care and school-age-care~~ programs licensed pursuant to section 71-1911 receiving orientation or training shall provide his or her social security number to the department.

~~(6) Rules and regulations adopted and promulgated under this section by the Department of Health and Human Services shall be deemed adopted and promulgated by the Department of Health and Human Services Regulation and Licensure on and after August 28, 1999.~~

Sec. 2. The State of Nebraska shall establish a three-tiered system of licensure for child care and early childhood education programs licensed pursuant to sections 71-1908 to 71-1917 as follows:

(1) Tier I shall consist of programs that meet minimum applicable licensing requirements;

(2) Tier II shall consist of programs that meet minimum applicable licensing requirements, have a history of compliance, and meet additional quality criteria related to director and staff qualifications, staff training, adult-child ratio, learning environment, parental involvement, program evaluation, and other criteria reasonably calculated to influence program quality, as established by the Department of Health and Human Services Regulation and Licensure; and

(3) Tier III shall consist of programs that meet minimum licensing requirements, have a history of compliance, and are accredited by an accrediting organization approved by the department.

The department shall issue a certificate to each licensed program, indicating the tier under which such program is licensed. The program shall post such certificate in a prominent place on the licensed premises.

Sec. 3. Original section 43-2606, Revised Statutes Supplement, 1999, is repealed.".

(Signed) Jim Jensen, Chairperson

SELECT COMMITTEE REPORT
Enrollment and Review

Correctly Reengrossed

The following resolution was correctly reengrossed: LR 20CA.

(Signed) Adrian M. Smith, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 314. Introduced by Engel, 17.

WHEREAS, the South Sioux City girls' basketball team is the champion of the 2000 Class B Girls' State Basketball Tournament, repeating its championship successes of 1995, 1996, 1997, and 1998; and

WHEREAS, the 65-36 win over a talented Alliance team in the final game capped the Lady Cardinals' Girls' Class B State Basketball Championship; and

WHEREAS, the Lady Cardinals set the team tournament scoring record with 235 points in three tournament games; and

WHEREAS, Head Coach Kelly Flynn guided the South Sioux City girls' basketball team to a No. 1 ranking in Nebraska all season and is No. 6 in USA Today's national rankings; and

WHEREAS, throughout the year the South Sioux City Lady Cardinals have complemented their talents with the characteristics of sportswomanship, determination, and diligence; and

WHEREAS, the South Sioux City Lady Cardinals are positive role models for young athletes in the community and throughout the region; and

WHEREAS, such a team achievement is made possible not only by individual members' performances and coaching guidance, but also through the support of teachers, administrators, and parents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and congratulates the South Sioux City Lady Cardinals basketball team and its coaches, parents, and supporters.
2. That a copy of this resolution be sent to the South Sioux City Lady Cardinals basketball team Head Coach, Kelly Flynn.

Laid over.

AMENDMENTS - Print in Journal

Senators Wickersham and Janssen filed the following amendment to LB 973:

AM2680

1. Insert the following new sections:

"Section 1. Section 53-101, Reissue Revised Statutes of Nebraska, is amended to read:

53-101. Sections 53-101 to 53-1,121 and section 2 of this act shall be known and may be cited as the Nebraska Liquor Control Act.

Sec. 2. For the purpose of raising revenue, a tax is imposed upon individuals who have received alcoholic liquor by transport pursuant to section 53-192 and for which the required taxes in the state of purchase or this state have not been paid. The tax, if due, shall be paid by the purchaser of the alcoholic liquor. The amount of the tax shall be imposed as provided in section 53-160. The tax shall be collected by the Department of Revenue in the same manner as sales and use taxes under the Nebraska Revenue Act of 1967, except that the tax shall not be due until December 31 of the year in which the purchase was made. The tax shall be delinquent if unpaid within twenty-five days after

December 31. The revenue from the tax shall be credited to the General Fund. The department and the commission shall adopt and promulgate rules and regulations to carry out this section.".

2. On page 2, line 9, strike "section 53-192" and insert "sections 53-101 and 53-192"; and in line 10 strike "is" and insert "are".

3. Renumber the remaining sections accordingly.

Senator Beutler filed the following amendment to LB 628:
FA311
Amend AM2492
On line 22, page 3 add the following language after the word "prioritize": "the items within"

GENERAL FILE

LEGISLATIVE BILL 833. Title read. Considered.

The Standing Committee amendment, AM2004, found on page 457, was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Senators Schimek, Kiel, and Thompson asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 929. Title read. Considered.

SPEAKER KRISTENSEN PRESIDING

Senator Landis renewed his pending amendment, AM2477, printed separately and referred to on page 773.

The Landis amendment was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Senators Robak and Brashear asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 1352. Title read. Considered.

The Standing Committee amendment, AM2535, found on page 843, was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1253. Title read. Considered.

Senator Kremer asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, AM2472, found on page 751, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Senators Landis and Bourne offered the following amendment:
(Amendment on file in the Clerk's Office - Room 2018 - AM2692)

Pending.

VISITORS

Visitors to the Chamber were 23 junior high students and sponsors from Youth Leadership, Kearney; members of Nebraska WIFE (Women Involved in Farm Economics) from across the state; 45 fifth grade students and teachers from Clarkson Elementary School, Fremont; and Charbell Younes from Kearney.

RECESS

At 11:55 a.m., on a motion by Senator Suttle, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senator Schrock who was excused; and Senators Bromm, Coordsen, Dierks, Hudkins, Jensen, Kiel, Lynch, Matzke, D. Pederson, Robak, Schmitt, Suttle, and Tyson who were excused until they arrive.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 1135:
AM2694

(Amendments to AM2619)

1. On page 1, line 4, and page 3, line 8, strike "July", show as stricken, and insert "January".

2. On page 3, lines 10 and 11, strike the new matter and

4 reinstate the stricken matter and strike "June 30", show as
5 stricken, and insert "December 31".

MESSAGES FROM THE GOVERNOR

March 3, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been reappointed as a member of the Board of Emergency Medical Services:

APPOINTEE:
Robert Olson, 409 Crest Dr, Papillion NE 68046

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

March 3, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been reappointed as members of the Excellence in Healthcare Council:

APPOINTEES:
Cordelia Okoye, 6821 Southfork Cr, Lincoln NE 68516
John Klosterman, 1197 34th Rd, David City NE 68632

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns

Governor

vfp/
Attachment

March 3, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Accountability and Disclosure Commission:

APPOINTEE:
Frank Hayes, 3115 N 128, Omaha NE 68164

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

March 3, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Dry Bean Commission:

APPOINTEE:
David Howell, 440 S-G Road, Morrill NE 69358

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

March 3, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been reappointed as members of the Nebraska Motor Vehicle Industry Licensing Board:

APPOINTEES:
Jerry Haggadone, 901 Country Club Ave, York NE 68467
William Cannon, P O Box 1769, Scottsbluff NE 69361
Kevin Langel, 3800 W Benjamin Ave, Norfolk NE 68701

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

GENERAL FILE

LEGISLATIVE BILL 1253. The Landis-Bourne pending amendment, AM2692, on file and referred to on page 944, was renewed.

The Landis-Bourne amendment was adopted with 29 ayes, 0 nays, 6 present and not voting, and 14 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 7 present and not voting, and 12 excused and not voting.

LEGISLATIVE BILL 171. Title read. Considered.

The Standing Committee amendment, AM2103, found on page 470, was considered.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

The Standing Committee amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 315. Introduced by Vrtiska, 1.

WHEREAS, the Falls City Sacred Heart girls' basketball team won the 2000 State Class D-1 High School Basketball championship; and

WHEREAS, 2000 was the fifth consecutive appearance in the state basketball tournament for the Falls City Sacred Heart girls' basketball team; and

WHEREAS, the Falls City Sacred Heart girls' basketball team ended the 1999-2000 season with a record of 26 wins and 2 losses, including its 3 consecutive state tournament victories; and

WHEREAS, the Falls City Sacred Heart girls' basketball team is coached by head coach Dennis Prichard and assistant coach Sue Ebel and managed by student manager Josh Santo; and

WHEREAS, the Falls City Sacred Heart girls' basketball team consists of student-athletes Codey Sopoci, Julie Froeschl, Sally Witt, Kelsi Witt, Amanda Gruber, Whitney Merz, Nicole Simon, Cassie Pokorny, Katie O'Grady, Allison Weaver, Ashley Howard, and Erica Flynn.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Falls City Sacred Heart girls' basketball team student-athletes, student manager, and coaches.
2. That a copy of this resolution be sent to Falls City Sacred Heart High School.

Laid over.

LEGISLATIVE RESOLUTION 316. Introduced by Connealy, 16.

WHEREAS, Alan Harms, principal of Wisner-Pilger High School, has been selected Nebraska's high school Principal of the Year under the auspices of the National Association of Secondary School Principals and MetLife Insurance Companies; and

WHEREAS, through Mr. Harms' guidance, the school has been chosen as one of two pilot schools which are offering an advanced studies program through Northeast Community College, which allows Wisner-Pilger students to graduate at the end of five years of high school with both a high school diploma and an Associates of Arts degree from the college; and

WHEREAS, Mr. Harms stresses the importance of a positive learning environment and has gained the respect of students, faculty, staff, and community, his effective management style has consistently kept issues and problems at school to a minimum, the morale of the students at Wisner-Pilger is very high, he encourages teachers to be innovative and works closely with them to become better educators by providing them time, resources, and encouragement to be their best for student success, and he encourages each teacher to bring into the classroom at least four out-of-school speakers to bring more of the community into the school setting; and

WHEREAS, Mr. Harms is involved in community organizations and many school activities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Alan Harms on his selection as Nebraska's high school Principal of the Year.

2. That a copy of this resolution be sent to Alan Harms.

Laid over.

AMENDMENTS - Print in Journal

Senator Wickersham filed the following amendment to LB 925:
AM2707

1. On page 3, line 15, strike "and"; and in line 16 after "(b)" insert "Cost means the cost of labor, materials, supplies, food, and equipment used at the child care facility and the cost of maintaining such facility. Cost does not include the cost of any real estate, improvements to real estate, or fixtures attached to such real estate or improvements or any depreciation, taxes, interest, or other finance charge incurred in connection with providing child care services; and (c)".

Senator Brown filed the following amendment to LB 925:
AM2693

1. Insert the following new sections:

"Section 1. Section 43-2606, Revised Statutes Supplement, 1999, is amended to read:

43-2606. (1) The Department of Health and Human Services Regulation and Licensure shall adopt and promulgate rules and regulations for mandatory training requirements for providers of child care and school-age-care programs pursuant to this section. Such requirements shall include preservice orientation and at least four hours of annual inservice training. All child care programs required to be licensed under section 71-1911 shall show completion of a preservice orientation approved or delivered by the department prior to receiving a provisional license.

(2) The department shall initiate a system of documenting the training levels of staff in specific child care settings to assist parents in selecting optimal care settings.

(3) The training requirements shall be designed to meet the health, safety, and developmental needs of children and shall be tailored to the needs of licensed providers of child care programs.

(4) A director of a program licensed pursuant to section

71-1911, other onsite supervisor, and staff counted as part of the staff ratio of the program and employed twenty or more hours per week shall annually obtain a minimum of twenty-two hours of training, including (a) training in more than one of the following topical areas: Child development, guidance, discipline, developmentally appropriate practices, nutrition, health, safety, communication skills, professionalism, business practices, or multicultural competence and (b) maintaining current certification for training in infant, child, and adult cardiopulmonary resuscitation and first aid. At least eight hours of such training shall be obtained in a group setting approved by the department. The Early Childhood Training Center shall establish procedures for approval of trainers and training designed to meet the training requirements of this section. The remaining hours of training may be obtained through self-study using training materials approved by the center or an accredited postsecondary educational institution. The requirements of this section shall be waived for the first year of employment if such training or its equivalent has been obtained within six months of commencing such employment.

(5)(a) Staff of a program licensed pursuant to section 71-1911 counted as part of the staff ratio and employed fewer than twenty hours per week shall annually obtain a minimum of twelve clock hours of training, including (a) training in more than one of the following topical areas: Child development, guidance, and discipline, developmentally appropriate practices, nutrition, health, safety, communication skills, professionalism, business practices, or multicultural competence and (b) maintaining current certification for training in infant, child, and adult cardiopulmonary resuscitation and first aid. At least six hours of such training shall be obtained in a group setting approved by the department. The Early Childhood Training Center shall establish procedures for approval of trainers and training designed to meet the training requirements of this section. The remaining hours of training may be obtained through self-study using training materials approved by the center or an accredited postsecondary educational institution. The requirements of this section shall be waived for the first year of employment if such training or its equivalent has been obtained within six months of commencing such employment.

(6) The department shall in coordination with the State Department of Education provide or arrange for training opportunities throughout the state and shall provide information regarding training opportunities to all providers of ~~child care~~ programs licensed pursuant to section 71-1911 at the time of registration or licensure, when renewing a registration, or on a yearly basis following licensure.

~~(5) Each provider~~ (7) The director, onsite supervisor, and staff of ~~child care and school-age-care~~ programs licensed pursuant to section 71-1911 receiving orientation or training shall provide his or her social security number to the department.

~~(6) Rules and regulations adopted and promulgated under this section by the Department of Health and Human Services shall be deemed adopted and promulgated by the Department of Health and Human Services Regulation and Licensure on and after August 28, 1999.~~

Sec. 2. The State of Nebraska shall establish a three-tiered system of licensure for child care and early childhood education programs licensed pursuant to sections 71-1908 to 71-1917 as follows:

(1) Tier I shall consist of programs that meet minimum applicable licensing requirements;

(2) Tier II shall consist of programs that meet minimum applicable licensing requirements, have a history of compliance, and meet additional quality criteria related to director and staff qualifications, staff training, adult-child ratio, learning environment, parental involvement, program evaluation, and other criteria reasonably calculated to influence program quality, as established by the Department of Health and Human Services Regulation and Licensure; and

(3) Tier III shall consist of programs that meet minimum licensing requirements, have a history of compliance, and are accredited by an accrediting organization approved by the department.

The department shall issue a certificate to each licensed program, indicating the tier under which such program is licensed. The program shall post such certificate in a prominent place on the licensed premises.

Sec. 11. Original section 43-2606, Revised Statutes Supplement, 1999, is repealed.".

2. On page 3, lines 2 and 5; page 6, line 10; page 7, line 16; and page 8, line 15, strike "3" and insert "5".

3. On page 8, line 16, strike "This" through "becomes" and insert "Sections 1, 2, 9, and 11 of this act become operative on their effective date. The other sections of this act become".

4. Renumber the remaining sections accordingly.

Senator Landis filed the following amendment to LB 925:
AM2696

1. On page 3, line 21, strike "licensed" and after "facility" insert "licensed by the department".

2. On page 4, line 5, after the period insert "Each partner, each shareholder of an electing subchapter S corporation, each beneficiary of an estate or trust, or each member of a limited liability company shall report his or her share of the credit in the same manner and proportion as he or she reports the partnership, subchapter S corporation, estate, trust, or limited liability company income.".

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative appointments:

Cannon, William - Nebraska Motor Vehicle Industry Licensing Board -- Transportation and Telecommunications

Haggadone, Jerry - Nebraska Motor Vehicle Industry Licensing Board -- Transportation and Telecommunications

Hayes, Frank - Accountability and Disclosure Commission -- Government, Military and Veterans Affairs

Howell, David - Dry Bean Commission -- Agriculture

Klosterman, John - Excellence in Healthcare Council -- Health and Human Services

Langel, Kevin - Nebraska Motor Vehicle Industry Licensing Board -- Transportation and Telecommunications

Okoye, Cordelia - Excellence in Healthcare Council - Health and Human Services

Olson, Robert - Board of Emergency Medical Services - Health and Human Services

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

UNANIMOUS CONSENT - Member Excused

Senator Beutler asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 1004. E & R amendment, AM7197, printed separately and referred to on page 695, was adopted.

Senator Suttle withdrew her amendment, AM2513, found on page 783.

Senator Chambers withdrew his amendment, AM2483, printed separately and referred to on page 796.

Senators Chambers and D. Pederson renewed their pending amendment, AM2582, printed separately and referred to on page 861.

Senator Suttle offered the following amendment to the Chambers-D. Pederson amendment:
AM2652

(Amendments to AM2582)

1. On page 9, line 13, strike "in lieu of or" and show as stricken.

The Suttle amendment was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

The Chambers-D. Pederson amendment, as amended, was adopted with 30 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

Senator Baker asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers offered the following amendment:
FA312
Amend AM2582
Strike, wherever it appears in the bill, all language relative to violation of a city or village ordinance in another state.

Senator Dw. Pedersen asked unanimous consent to be excused. No objections. So ordered.

SENATOR CUDABACK PRESIDING

The Chambers amendment was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

SPEAKER KRISTENSEN PRESIDING

Senators Cudaback and Lynch asked unanimous consent to be excused. No objections. So ordered.

Senator Landis moved to bracket LB 1004 until March 10, 2000.

Senator Landis withdrew his motion to bracket.

Pending.

AMENDMENTS - Print in Journal

Senator Landis filed the following amendment to LB 1145:
AM2698

1. Strike section 2 and insert the following sections:

"Sec. 2. Section 18-2601, Reissue Revised Statutes of Nebraska, is amended to read:

18-2601. Sections 18-2601 to 18-2608 and section 8 of this act shall be known and may be cited as the Municipal Infrastructure Redevelopment Fund Act.

Sec. 3. Section 18-2602, Reissue Revised Statutes of Nebraska, is amended to read:

18-2602. The Legislature finds that the municipalities of the state face an urgent need to construct, upgrade, and develop municipal infrastructure facilities. By providing basic public facilities, the municipalities of the state provide the building blocks for economic development. Not only does the investment in infrastructure generate an immediate stream of economic activity, it also lays the groundwork for private investment that will use the facilities so provided. Municipalities in the state currently are in critical need of assistance in providing these facilities.

The Legislature determines that it is in the public interest to establish a Municipal Infrastructure Redevelopment Fund to provide funds to municipalities in the state to use to provide infrastructure facilities and to permit municipalities in the state to issue bonds secured by amounts payable from the Municipal Infrastructure Redevelopment Fund and other sources.

Sec. 4. Section 18-2603, Reissue Revised Statutes of Nebraska, is amended to read:

18-2603. For purposes of the Municipal Infrastructure Redevelopment Fund Act:

(1) Bond means any evidence of indebtedness, including, but not limited to, bonds, notes including notes issued pending long-term financing arrangements, warrants, debentures, obligations under a loan agreement or a lease-purchase agreement, or any similar instrument or obligation;

(2) Fund ~~shall~~ ~~mean~~ means the Municipal Infrastructure Redevelopment Fund;

~~(2)~~ (3) Infrastructure project ~~shall~~ ~~mean~~ means any of the following projects, or any combination thereof, to be owned or operated by a municipality: Solid waste management facilities; wastewater, storm water, and water treatment works and systems, water distribution facilities, and water resources projects, including, but not limited to, pumping stations, transmission lines, and mains and their appurtenances; hazardous waste disposal systems; resource recovery systems; airports; port facilities; buildings and capital equipment used in the ~~operation~~ operations and activities of municipal government and to provide services to the residents of the municipality; convention and tourism facilities; redevelopment projects as defined in section 18-2103; and mass transit and other transportation systems, including parking facilities and excluding public highways and bridges and municipal roads, streets, and bridges;

~~(3)~~ (4) Municipal allocation amount ~~shall~~ ~~mean~~ means, for each municipality, the amount derived by multiplying the amount to be allocated by the fraction determined by dividing the total population of the municipality by the total population of the state living in municipalities, each as determined by the most recent federal census figures certified by the Tax Commissioner as provided in section 77-3,119; and

~~(4)~~ (5) Municipality ~~shall~~ ~~mean~~ means any city of any class or any village in the state.

Sec. 5. Section 18-2606, Reissue Revised Statutes of Nebraska, is amended to read:

18-2606. Money received by a municipality or credited to its account from the fund shall be used for one of the following purposes:

(1) To pay for the construction, acquisition, or equipping of infrastructure projects or portions thereof; or

(2) To pay principal, interest, premium, and costs of issuance on bonds ~~debt~~ ~~incurred~~ ~~or~~ ~~securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects or portions thereof.

Sec. 6. Section 18-2607, Reissue Revised Statutes of Nebraska, is amended to read:

18-2607. Each municipality shall be permitted to pledge the amounts on deposit or to be deposited in its account of the fund, as and when appropriated by the Legislature, to the holders of any bonds ~~debt~~ ~~incurred~~ ~~or~~ ~~securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects as long as the lien of such pledge does not attach until funds are actually deposited into the municipality's account, and in no event shall such a pledge be construed as an obligation of the Legislature to appropriate such funds. Any such pledge shall be valid and binding from the time when the pledge is made. The money so pledged and thereafter received by the municipality or deposited into its respective account shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the municipality, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

Sec. 7. Section 18-2608, Reissue Revised Statutes of Nebraska, is amended to read:

18-2608. No ~~securities~~ bonds issued by any municipality ~~and~~ ~~pledging~~ which pledges funds to be deposited in its account of the fund shall constitute a debt, liability, or general obligation of this state or a pledge of the faith and credit of this state but shall be payable, to the extent payable from state revenue, solely from amounts credited to the accounts of the fund as provided by the Municipal Infrastructure Redevelopment Fund Act, as and when appropriated by the Legislature. Each ~~security~~ bond issued by any municipality ~~and~~ ~~pledging~~ which pledges funds to be deposited in its account of the fund shall contain on the face thereof a statement that neither the faith and credit nor the taxing power of this state is pledged to the payment of the principal of or the interest on such security.

Sec. 8. Any municipality may by ordinance issue bonds in one or more series for the construction or acquisition of an infrastructure project or any portion thereof and pay the principal of and interest on any such bonds by pledging funds received from the Municipal Infrastructure Redevelopment Fund. Such bonds shall have a final maturity not later than August 1, 2009, and the aggregate debt service payments and related expenses with respect to all series of such bonds for any twelve-month period during which such bonds are outstanding shall not exceed the anticipated receipts from the fund by such municipality. For purposes of this section, anticipated receipts means the amount received by the municipality from the fund for the twelve-month period immediately preceding the date of issuance of such bonds.

Any municipality which has or may issue bonds under this section may dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under the bonds, but only to the extent the receipts from the fund pledged to the payment of such bonds and any other money made available and used for that purpose are insufficient to pay the principal of and interest on such bonds as they mature.

Sec. 9. Section 77-3,119, Revised Statutes Supplement, 1998, is amended to read:

77-3,119. (1) The Tax Commissioner shall certify the population of cities and villages to be used for purposes of calculations made pursuant to subdivision ~~(3)~~ (4) of section 18-2603, subdivisions (3)(a) and (b) of section 35-1205, subdivision (1) of section 39-2517, and sections 39-2513 and 77-27,137.01. The Tax Commissioner shall transmit copies of such certification to all interested parties upon request.

(2) The Tax Commissioner shall certify the population of each city and village based upon the most recent federal census. The Tax Commissioner shall determine the most recent federal census for each city and village by using the most recent federal census figures available from (a) the most recent federal decennial census, (b) the most recent federal census update or recount certified by the United States Bureau of the Census, or (c) the most recent federal census figure of the city or village plus the population of territory annexed as calculated in sections 18-1753 and 18-1754.

(3) The Tax Commissioner may adopt and promulgate rules and regulations to carry out this section.

Sec. 10. Original sections 10-126, 18-2601 to 18-2603, and 18-2606 to 18-2608, Reissue Revised Statutes of Nebraska, and section 77-3,119, Revised Statutes Supplement, 1998, are repealed.".

2. Renumber the remaining section accordingly.

Senator Wickersham filed the following amendment to LB 1107:
AM2717

1. Insert the following new section:

"Sec. 4. Section 79-1031, Revised Statutes Supplement, 1999, is amended to read:

79-1031. The department, with assistance from the Property Tax Administrator, the Legislative Fiscal Analyst, and the budget division of the Department of Administrative Services, shall ~~annually,~~ in even-numbered years on or before November 15, provide an estimate of the necessary funding level for the following two school fiscal years and, in odd-numbered years on or before November 15, provide an estimate of the necessary funding level for the next school fiscal year, under the Tax Equity and Educational Opportunities Support Act to the Governor, the Appropriations Committee of the Legislature, and the Education Committee of the Legislature.".

2. On page 2, line 15, after "79-1015.01" insert ". The calculation of the maximum levy under this subsection shall be carried out at least seven decimal places and rounded to the nearest sixth decimal place".

3. On page 6, line 7, strike "five" and insert "two"; and in line 16 after the period insert "The calculation of the minimum levy adjustment shall be carried out at least seven decimal places and rounded to the nearest sixth decimal place.".

4. On page 7, line 19, before "The" insert "The calculation of the local effort rate shall be carried out at least seven decimal places and rounded to the nearest sixth decimal place."; and in line 23, strike "and 79-1015.01" and insert ", 79-1015.01, and 79-1031".

5. Renumber the remaining section accordingly.

Senators Bohlke and Stuhr filed the following amendment to LB 812:
AM2714

1. On page 7, strike beginning with "be" in line 27 through the first "board" in line 28 and insert "cover the subject areas of reading and writing, mathematics, science, and social studies and history".

2. On page 8, line 16, strike "approved standards" and insert "subject areas listed in subsection (1) of this section".

WITHDRAW - Cointroducer

Senator Price withdrew her name as cointroducer to LB 1234.

UNANIMOUS CONSENT - Add Cointroducers

Senator Dw. Pedersen asked unanimous consent to have his name added as cointroducer to LB 1078. No objections. So ordered.

Senator Jones asked unanimous consent to have his name added as cointroducer to LB 171. No objections. So ordered.

VISITORS

Visitor to the Chamber was Don Pollard from Omaha.

The Doctor of the Day was Dr. Dorothy Zink from Omaha.

ADJOURNMENT

At 4:55 p.m., on a motion by Senator Bromm, the Legislature adjourned until 9:00 a.m., Thursday, March 9, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FORTIETH DAY - MARCH 9, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

FORTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 9, 2000

PRAYER

The prayer was offered by Pastor Jim Hardy, Florence Christian Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Beutler, Bromm, Coordsen, Dickey, Kiel, Kristensen, Landis, Lynch, D. Pederson, Raikes, Schmitt, and Stuhr who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-ninth day was approved.

STANDING COMMITTEE REPORTS
Urban Affairs

LEGISLATIVE BILL 1235. Placed on General File.

LEGISLATIVE BILL 1131. Placed on General File as amended.
Standing Committee amendment to LB 1131:
AM2594

1. Strike the original sections and insert the following new sections:

"Section 1. Section 16-902, Reissue Revised Statutes of Nebraska, is amended to read:

16-902. (1) A city of the first class may designate by ordinance the portion of the territory located within two miles of the corporate limits of the city and outside of any other organized city or village within which the designating city will exercise the powers and duties granted by sections 16-902 to 16-904 or section

19-2402.

(2) No owner of any real property located within the area designated by a city pursuant to subsection (1) of this section may subdivide, plat, or lay out such real property in building lots, streets, or other portions of the same intended to be dedicated for public use or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto without first having obtained the approval of the city council of such city or its agent designated pursuant to section 19-916. The fact that such real property is located in a different county or counties than some or all portions of the city shall not be construed as affecting the necessity of obtaining the approval of the city council of such city or its designated agent.

(3) In counties that (a) have adopted a comprehensive development plan which meets the requirements of section 23-114.02 and (b) are enforcing subdivision regulations, the county planning commission shall be provided with all available materials on any proposed subdivision plat, contemplating public streets or improvements, which is filed with a municipality in that county, when such proposed plat lies partially or totally within the extraterritorial subdivision jurisdiction being exercised by that municipality in such county. The commission shall be given four weeks to officially comment on the appropriateness of the design and improvements proposed in the plat. The review period for the commission shall run concurrently with subdivision review activities of the municipality after the commission receives all available material for a proposed subdivision plat.

Sec. 2. Section 17-1002, Reissue Revised Statutes of Nebraska, is amended to read:

17-1002. (1) Any city of the second class or village may designate by ordinance the portion of the territory located within one mile of the corporate limits of such city or village and outside of any other organized city or village within which the designating city or village will exercise the powers and duties granted by this section and section 17-1003 or 19-2402.

(2) No owner of any real property located within the area designated by a city or village pursuant to subsection (1) of this section may subdivide, plat, or lay out such real property in building lots, streets, or other portions of the same intended to be dedicated for public use or for the use of the purchasers or owners of lots fronting thereon or adjacent thereto without first having obtained the approval of the city council or board of trustees of such municipality or its agent designated pursuant to section 19-916. The fact that such real property is located in a different county or counties than some or all portions of the municipality shall not be construed as affecting the necessity of obtaining the approval of the city council or board of trustees of such municipality or its designated agent.

(3) No plat of such real property shall be recorded or

have any force or effect unless approved by the city council or board of trustees of such municipality or its designated agent.

(4) In counties that have adopted a comprehensive development plan which meets the requirements of section 23-114.02 and are enforcing subdivision regulations, the county planning commission shall be provided with all available materials on any proposed subdivision plat, contemplating public streets or improvements, which is filed with a municipality in that county, when such proposed plat lies partially or totally within the extraterritorial subdivision jurisdiction being exercised by that municipality in such county. The commission shall be given four weeks to officially comment on the appropriateness of the design and improvements proposed in the plat. The review period for the commission shall run concurrently with subdivision review activities of the municipality after the commission receives all available material for a proposed subdivision plat.

Sec. 3. Section 19-2402, Reissue Revised Statutes of Nebraska, is amended to read:

19-2402. Whenever the mayor and council of any city of the first or second class, or the ~~chairman~~ chairperson and board of trustees of a village in Nebraska, shall deem it necessary and advisable to extend municipal water service or municipal sanitary sewer service to territory beyond the existing systems, such municipal officials may, by ordinance, create a district or districts to be known as sanitary sewer extension districts or water extension districts, as the case may be, for such purposes, and such district or districts may include properties within the corporate limits of the municipality and ~~one mile beyond the same~~ its extraterritorial zoning jurisdiction as established pursuant to section 16-902 or 17-1002. Such ordinance shall state the size and kind of sewer mains or water mains proposed to be constructed in such district and shall designate the location and terminal points thereof. Such ordinance shall also refer to the plans and specifications for such utility extensions which shall have been made and filed with the municipal clerk by the municipal engineer prior to the introduction of the ordinance, and the city or village engineer at the time of filing such plans and specifications shall make and file an estimate of the total cost of the proposed utility extension. ~~Said~~ The ordinance shall also state the outer boundaries of the district or districts in which it is proposed to make special assessments. When such extension of the utility service involved is completed, the municipality shall compel all proper connections therewith of occupied properties in such utility district, and may provide a penalty for failure to comply with regulations of the municipality pertaining to such utility districts.

Sec. 4. Original sections 16-902, 17-1002, and 19-2402, Reissue Revised Statutes of Nebraska, are repealed.".

LEGISLATIVE BILL 1183. Placed on General File as amended.
Standing Committee amendment to LB 1183:
AM2600

1. Strike the original sections and insert the following new sections:

"Section 1. Section 19-916, Reissue Revised Statutes of Nebraska, is amended to read:

19-916. (1) The proprietor or proprietors of any land within the corporate limits of any city of the first or second class or village, or ~~contiguous to the same~~ of any land within the area designated by a city of the first class pursuant to subsection (1) of section 16-902 or within the area designated by a city of the second class or village pursuant to subsection (1) of section 17-1002, may lay out ~~said~~ such land into lots, blocks, streets, avenues, alleys, and other grounds under the name of .... Addition to the City or Village of ...., and shall cause an accurate map or plat thereof to be made out, designating explicitly the land so laid out and particularly describing the lots, blocks, streets, avenues, alleys, and other grounds belonging to such addition. The lots must be designated by numbers, and streets, avenues, and other grounds, by names or numbers. Such plat shall be acknowledged before some officer authorized to take the acknowledgments of deeds, and shall contain a dedication of the streets, alleys, and public grounds therein to the use and benefit of the public, and have appended a survey made by some competent surveyor with a certificate attached, certifying that he or she has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately staked off and marked. When such map or plat is so made out, acknowledged, and certified, and has been approved by the local legislative body, the same shall be filed and recorded in the office of the register of deeds and county assessor of the county.

(2) The legislative body may designate by ordinance an employee of such city or village to approve further subdivision of existing lots and blocks whenever all required public improvements have been installed, no new dedication of public rights-of-way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots and blocks.

(3) Upon approval by the legislative body or its designated agent, such plat shall be equivalent to a deed in fee simple absolute to the municipality from the proprietor of all streets, avenues, alleys, public squares, parks and commons, and of such portion of the land as is therein set apart for public and municipal use, or is dedicated to charitable, religious, or educational purposes.

All additions thus laid out and previously located within the corporate boundaries of the municipality shall remain a part of the municipality.~~, and all~~

(4) All additions laid out adjoining or contiguous to the corporate limits ~~shall~~ may be included within the ~~same~~ corporate limits and become a part of such municipality for all purposes whatsoever at such time as the addition is approved if (a) the legislative body, by resolution, provides notice of its intent that the addition be included within the municipality prior to the public hearing on the approval of the addition before the municipality's planning commission; (b) the planning commission and the legislative body both hold public hearings on such inclusion separate from the public hearings held regarding the approval of the addition; and (c) the legislative body votes to approve the inclusion of the addition within the corporate boundaries of the municipality in a separate vote from the vote approving the addition. ~~The~~ If the legislative body includes the addition within the corporate limits, the inhabitants of such addition shall be entitled to all the rights and privileges, and shall be subject to all the laws, ordinances, rules, and regulations of the municipality to which ~~said~~ such land is an addition.

(5) The local legislative body shall have power by ordinance to provide the manner, plan, or method by which land within the corporate limits of any such municipality, or ~~contiguous to the same,~~ land within the area designated by a city of the first class pursuant to subsection (1) of section 16-902 or within the area designated by a city of the second class or village pursuant to subsection (1) of section 17-1002, may be subdivided, platted, or laid out, including a plan or system for the avenues, streets, or alleys to be laid out within or across the same, and to compel the owners of any such land in subdividing, platting, or laying out the same to conform to the requirements of the ordinance and to lay out and dedicate the avenues, streets, and alleys in accordance therewith. No addition shall have any validity, right, or privileges as an addition, and no plat of land or, in the absence of a plat, no instrument subdividing land within the corporate limits of any such municipality~~, or contiguous to the same~~ or of any land within the area designated by a city of the first class pursuant to subsection (1) of section 16-902 or within the area designated by a city of the second class or village pursuant to subsection (1) of section 17-1002, shall be recorded or have any force or effect, unless the same be approved by the ~~governing~~ legislative body, or its designated agent, and its or his or her approval endorsed thereon.

Sec. 2. Original section 19-916, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 1313. Placed on General File as amended.
Standing Committee amendment to LB 1313:
AM2700

1. On page 2, line 7, strike "property" and insert

"individual property, district, or portion of a district"; and in line 11 strike "property owner" and insert "owner of any individual property listed in the National Register of Historic Places or of any individual property located within a district or portion of a district listed in the National Register of Historic Places".

LEGISLATIVE BILL 1367. Placed on General File as amended.
Standing Committee amendment to LB 1367:
AM2595

1. On page 2, line 10, after "consecutive" insert "unassigned".

LEGISLATIVE BILL 1182. Indefinitely postponed.
LEGISLATIVE BILL 1320. Indefinitely postponed.
LEGISLATIVE BILL 1378. Indefinitely postponed.

(Signed) D. Paul Hartnett, Chairperson

MOTIONS - Approve Appointments

Senator Wickersham moved the adoption of the report of the Revenue Committee for the following appointment found on page 900: Tax Equalization and Review Commission - Mark Reynolds.

Voting in the affirmative, 31:

Aguilar	Baker	Bohlke	Bourne	Brashear
Brown	Bruning	Byars	Crosby	Dierks
Engel	Hartnett	Hilgert	Hudkins	Janssen
Jones	Kremer	Lynch	Matzke	Pedersen, Dw.
Price	Quandahl	Redfield	Robak	Schimek
Schrock	Smith	Thompson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 0.

Present and not voting, 7:

Chambers	Connealy	Cudaback	Jensen	Preister
Suttle	Tyson			

Excused and not voting, 11:

Beutler	Bromm	Coordsen	Dickey	Kiel
Kristensen	Landis	Pederson, D.	Raikes	Schmitt
Stuhr				

The appointment was confirmed with 31 ayes, 0 nays, 7 present and not voting, and 11 excused and not voting.

Senator Vrtiska moved the adoption of the report of the Business and Labor Committee for the following appointments found on page 934: Commission of Industrial Relations - Brenda Council; and Nebraska Boiler Safety Code Advisory Board - James E. Marvin.

Senator Vrtiska requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Vrtiska moved the adoption of the report of the Business and Labor Committee for the following appointment found on page 934: Commission of Industrial Relations - Brenda Council.

Voting in the affirmative, 36:

Aguilar
Baker
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jones
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Robak
Schimek
Schrock
Smith
Suttle
Thompson
Vrtiska
Wehrbein

Voting in the negative, 0.

Present and not voting, 6:

Beutler
Jensen
Pederson, D.
Redfield
Tyson
Wickersham

Excused and not voting, 7:

Bromm
Coordsen
Kiel
Kristensen
Raikes
Schmitt
Stuhr

The appointment was confirmed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

The second division is as follows:
Senator Vrtiska moved the adoption of the report of the Business and Labor Committee for the following appointment found on page 934: Nebraska Boiler Safety Code Advisory Board - James E. Marvin.

Voting in the affirmative, 36:

Aguilar
Baker
Bohlke
Bourne
Brashear

Brown Bruning Byars Crosby Cudaback
Dickey Dierks Engel Hartnett Hilgert
Hudkins Janssen Jones Kremer Landis
Matzke Pedersen, Dw. Pederson, D. Price Quandahl
Raikes Redfield Robak Schimek Schrock
Smith Suttle Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 8:

Beutler Chambers Connealy Jensen Kristensen
Lynch Preister Thompson

Excused and not voting, 5:

Bromm Coordsen Kiel Schmitt Stuhr

The appointment was confirmed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 171. Considered.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Advanced to E & R for review with 25 ayes, 17 nays, and 7 present and not voting.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendments to LB 628:

(1)

AM2727

(Amendments to AM2492)

1. Insert the following new section:

"Sec. 4. Section 84-712.05, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.05. The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by the lawful custodian of the records:

(1) Personal information in records regarding a student, prospective student, or former student of any tax-supported educational institution maintaining the records, other than routine

directory information;

(2) Medical records, other than records of births and deaths and except as provided in subdivision (5) of this section, in any form concerning any person, and also records of elections filed under section 44-2821;

(3) Trade secrets, academic and scientific research work which is in progress and unpublished, including research reports requested by public officials which are in draft form and which have not been furnished to the public official for whom the report was prepared, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;

(4) Records which represent the work product of an attorney and the public body involved which are related to preparation for litigation, labor negotiations, or claims made by or against the public body or which are confidential communications as defined in section 27-503;

(5) Records developed or received by law enforcement agencies and other public bodies charged with duties of investigation or examination of persons, institutions, or businesses, when the records constitute a part of the examination, investigation, intelligence information, citizen complaints or inquiries, informant identification, or strategic or tactical information used in law enforcement training, except that this subdivision shall not apply to records so developed or received relating to the presence of and amount or concentration of alcohol or drugs in any body fluid of any person;

(6) Appraisals or appraisal information and negotiation records concerning the purchase or sale, by a public body, of any interest in real or personal property, prior to completion of the purchase or sale;

(7) Personal information in records regarding personnel of public bodies other than salaries and routine directory information;

(8) Information solely pertaining to protection of the physical security of public property such as guard schedules; lock combinations; or the security standards, procedures, policies, plans, specifications, diagrams, access lists, and other security-related records of the Lottery Division of the Department of Revenue and those persons or entities with which the division has entered into contractual relationships. Nothing in this subdivision shall allow the division to withhold from the public any information relating to amounts paid persons or entities with which the division has entered into contractual relationships, amounts of prizes paid, the name of the prize winner, and the city, village, or county where the prize winner resides;

(9) With respect to public utilities and except as provided in sections 43-512.06 and 70-101, personally identified private citizen account payment information, credit information on

others supplied in confidence, and customer lists;

(10) Records or portions of records kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library's materials or services;

(11) Correspondence, memoranda, and records of telephone calls related to the performance of duties by a member of the Legislature in whatever form. The lawful custodian of the correspondence, memoranda, and records of telephone calls, upon approval of the Executive Board of the Legislative Council, shall release the correspondence, memoranda, and records of telephone calls which are not designated as sensitive or confidential in nature to any person performing an audit of the Legislature. A member's correspondence, memoranda, and records of confidential telephone calls related to the performance of his or her legislative duties shall only be released to any other person with the explicit approval of the member;

(12) Records or portions of records kept by public bodies which would reveal the location, character, or ownership of any known archaeological, historical, or paleontological site in Nebraska when necessary to protect the site from a reasonably held fear of theft, vandalism, or trespass. This section shall not apply to the release of information for the purpose of scholarly research, examination by other public bodies for the protection of the resource or by recognized tribes, the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or the federal Native American Graves Protection and Repatriation Act;

(13) Records or portions of records kept by public bodies which maintain collections of archaeological, historical, or paleontological significance which reveal the names and addresses of donors of such articles of archaeological, historical, or paleontological significance unless the donor approves disclosure, except as the records or portions thereof may be needed to carry out the purposes of the Unmarked Human Burial Sites and Skeletal Remains Protection Act or the federal Native American Graves Protection and Repatriation Act; and

(14) Job application materials submitted by applicants, other than finalists, who have applied for employment by any public body as defined in section 84-1409. For purposes of this subdivision, job application materials means employment applications, resumes, reference letters, and school transcripts, and finalist means any applicant who is offered and who accepts an interview by a public body or its agents, representatives, or consultants for any public employment position.".

2. On page 5, line 10, strike "and" and after the comma insert "and 84-712.05,".

3. Renumber the remaining sections accordingly.

(2)

AM2704

(Amendments to AM2492)

1. On page 3, line 8, after "a" insert "written".

(3)

AM2705

(Amendments to AM2492)

1. On page 3, line 19, after "request" insert "or due to difficulty requiring legal advice in determining whether a particular requested document is a public record".

(4)

AM2703

(Amendments to AM2492)

1. On page 3, line 22, after "prioritize" insert "the items within".

Senator Schrock filed the following amendment to LB 1234:
AM2622

(Amendments to Standing Committee amendments, AM2553)

1. Strike amendment 1 and all amendments thereto and insert the following amendment:

"1. Strike the original sections and insert the following new sections:

'Section 1. It is hereby declared to be the public policy of the state that, in order to safeguard life, health, property, and public welfare of its citizens, the production, sale, and use of motor fuel and the pollution caused by certain components of motor fuel are matters affecting the public interest and that a statewide emphasis on the production and use of motor fuel containing renewable fuel content is necessary for the reduction of pollution and will further serve as an incentive for the agricultural economy. The Legislature especially recognizes that renewable fuel and the development of an additional source of fuel will help meet the energy requirements necessary to safeguard life, health, property, and public welfare of our citizens.

Sec. 2. (1) Except as otherwise provided in this section, all gasoline offered for sale, sold, or dispensed for use as motor fuel in Nebraska shall, beginning January 1, 2001, contain a renewable fuel content equal to or greater than three and one-half percent weight oxygen. For purposes of this section, renewable fuel means fuel made from renewable sources such as ethanol produced from corn, sorghum, and biomass, but does not include methyl tertiary-butyl ether (MTBE).

(2) Gasoline shall be exempt from the requirements of subsection (1) of this section if it is (a) a premium grade fuel containing ninety-one or more octane or (b) offered for sale, sold, or dispensed for use at an airport in aircraft.

Sec. 3. The Department of Revenue shall monitor and maintain a record of wholesale terminal prices of gasoline offered for sale, sold, or dispensed pursuant to section 2 of this act. On or before December 1 of each year, the Department of Revenue shall issue a report to the Legislature regarding its duties pursuant to this section.

Sec. 4. This act becomes operative on January 1, 2001.

Sec. 5. The following section is outright repealed: Section 66-1225, Reissue Revised Statutes of Nebraska.'.".

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 557, 652, 652A, 717, 717A, 922, 922A, 950, 950A, 994, 1125, 1190, and LR 291CA.

Enrollment and Review Change to LB 652

The following changes, required to be reported for publication in the Journal, have been made:
ER9122

1. In the Thompson amendment, AM2267, on page 19, line 17, "thereafter" has been struck.
2. In the E & R amendments, AM7193, on page 3, line 3,"and fund" has been inserted after "facility".

Enrollment and Review Change to LB 652A

The following changes, required to be reported for publication in the Journal, have been made:
ER9120

1. On page 1, lines 3 and 4, "; and to declare an emergency" has been struck.

Enrollment and Review Change to LB 950

The following changes, required to be reported for publication in the Journal, have been made:
ER9121

1. On page 6, line 27, "Finance and Support" has been inserted after "Services".

Enrollment and Review Change to LB 994

The following changes, required to be reported for publication in the Journal, have been made:
ER9123

1. In the E & R amendments, AM7208, on page 8, line 16, "rules and" has been inserted after "the".

2. On page 1, line 6, "eliminate law enforcement training provisions for cities and villages; to" has been inserted before "harmonize".

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1348. Title read. Considered.

Senators Kremer and Janssen asked unanimous consent to be excused until they return. No objections. So ordered.

The Standing Committee amendment, AM2527, found on page 889, was considered.

Pending.

MOTION - Suspend Rules

Senator Stuhr moved to suspend the rules, Rule 4, Section 2, and Rule 6, Section 7(b), to permit consideration of LR 20CA on Final Reading.

The Stuhr motion to suspend the rules prevailed with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 20CA.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the primary election in May 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 27:

I-27 "The English language is hereby declared to be the official language of this state. All ~~, and all~~ official proceedings, records, and publications shall be in such language. The ~~, and the~~ common school branches shall be taught in ~~said~~ the English language in public~~, private, denominational and parochial~~ schools.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to eliminate an English language requirement for private, denominational, and parochial schools.

For
Against".

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 48:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 1:

Kremer

A constitutional four-fifths majority having voted in the affirmative, the resolution was declared passed for the primary election.

UNANIMOUS CONSENT - Member Excused

Senator Vrtiska asked unanimous consent to be excused until he returns. No objections. So ordered.

MOTION - Reconsider Action on LB 510

Senator Chambers renewed his pending motion, found on page 878, to reconsider the vote on overriding the veto to LB 510.

SPEAKER KRISTENSEN PRESIDING

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 39 ayes, 0 nays, and 10 not voting.

Senator Chambers requested a roll call vote on his motion to reconsider.

Voting in the affirmative, 28:

Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Byars
Chambers
Connealy
Cudaback
Dierks
Hartnett
Hilgert
Janssen
Kiel
Kristensen
Landis
Lynch
Pederson, D.
Preister
Price
Raikes
Robak
Schimek
Schmitt
Suttle
Thompson
Wickersham

Voting in the negative, 19:

Aguilar
Baker
Bruning
Coordsen
Crosby
Dickey
Engel
Hudkins
Jensen
Jones
Matzke
Pedersen, Dw.
Quandahl
Redfield
Schrock
Smith
Stuhr
Tyson
Wehrbein

Excused and not voting, 2:

Kremer
Vrtiska

The Chambers motion to reconsider failed with 28 ayes, 19 nays, and 2 excused and not voting.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 20CA.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1214A. Introduced by Kristensen, 37; Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 881A, section 2; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1214, Ninety-sixth Legislature, Second Session, 2000; to repeal the original section; and to declare an emergency.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 171:
FA313
Amend AM2103
On line 15 strike "all" and insert "one-half"

Senator Hilgert filed the following amendment to LB 953:
(Amendment, AM2674, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

STANDING COMMITTEE REPORTS
Appropriations

LEGISLATIVE BILL 1214. Placed on General File as amended.
Standing Committee amendment to LB 1214:
AM2635

1. On page 2, line 5; and page 5, line 12, strike "thirty-five", show as stricken, and insert "twenty-five".
2. On page 5, lines 14 through 20, strike the new matter and reinstate the stricken matter.

LEGISLATIVE BILL 1215. Placed on General File.

LEGISLATIVE BILL 1216. Placed on General File as amended.
Standing Committee amendment to LB 1216:
AM2688

1. Strike original section 2 and insert the following new section:

"Sec. 2. The State Procurement Card Distributive Fund is created. All rebates received by the state from any procurement card programs entered into by the State of Nebraska, except for rebates received from separate procurement card programs entered into solely by the University of Nebraska, shall be credited to the fund. The fund may consist of procurement card and travel card payments and deposits received from state agencies, boards, commissions, and political subdivisions, plus any rebate revenue received on behalf of the program by the accounting division of the Department of Administrative Services. The fund may be used for the purpose of coordinating and expediting payments to vendors related to any procurement card programs administered by the accounting division and the required distribution of any rebate revenue, after covering expenses. The fund shall be administered by the Accounting Administrator. The accounting division shall deduct from the total program rebates of any state-sponsored procurement card program an amount necessary to cover the full cost of operating the procurement card program. After deducting the full cost of operating the procurement card program from the total program rebates, with the exception of existing procurement card programs, the remaining rebate funds shall be distributed on an annual basis by the Accounting Administrator based on a combination of volume performance and speed of pay performance among the following entities: (1) The University of Nebraska; (2) the accounting division, on behalf of the remainder of state government; and (3) any political subdivisions participating in any state-sponsored procurement card program. The Accounting Administrator is authorized to distribute through the fund or through a vendor contractual agreement the remaining program rebates, after covering expenses. On a monthly basis the accounting division shall administratively transfer all interest earnings credited to the fund to the Accounting Division Revolving Fund within ten days after the end of each month. On an annual basis the accounting division shall administratively transfer from the fund to the Accounting Division Revolving Fund all rebate revenue to which the accounting division is entitled plus an amount necessary to cover the full cost of operating the procurement card program. All costs of operating the procurement card program shall be paid through the Accounting Division Revolving Fund.

Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.".

LEGISLATIVE BILL 1217. Placed on General File as amended.
(Standing Committee amendment, AM2629, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1349. Placed on General File as amended.
Standing Committee amendment to LB 1349:
AM2618

1. Insert the following new sections:

"Sec. 11. Sections 1, 2, 12, and 15 of this act become operative on July 1, 2001. The other sections of this act become operative on their effective date.

Sec. 12. Original section 81-179, Revised Statutes Supplement, 1998, and section 77-2602, Revised Statutes Supplement, 1999, are repealed.

Sec. 15. The following section is outright repealed: Section 14-3,130, Reissue Revised Statutes of Nebraska.".

2. On page 3, strike lines 17 through 28 and show as stricken.

3. On page 4, strike line 1 and show as stricken; in line 2 strike "(d) Fourth", show as stricken, and insert "(c) Third"; strike beginning with line 3 through "until" in line 6 and show as stricken; in line 21 strike "(e) Fifth", show as stricken, and insert "(d) Fourth"; in line 23 strike "(d)", show as stricken, and insert "(c)"; in line 24 strike "(g)" and insert "(f)"; and in line 26 strike "(f) Sixth", show as stricken, and insert "(e) Fifth".

4. On page 5, line 5, strike "(g) Seventh" and insert "(f) Sixth"; and in line 10 strike "the City of Omaha Public Events Facilities Fund," and show as stricken.

5. On page 6, strike beginning with the second "the" in line 1 through "(f)" in line 2 and show the old matter as stricken; in line 3 strike "(g)" and insert "(f)"; and in line 6 strike the new matter and reinstate the stricken matter.

6. Strike beginning on page 6, line 28, through the period on page 7, line 7, and show as stricken.

7. On page 7, strike beginning with "June" in line 10 through "30" in line 11 and insert "July 1, 2001, and before July 15".

8. On page 13, line 7, after the period insert "In addition, the Chief Information Officer shall provide the Legislature a semiannual progress report for enterprise projects funded through the fund.".

9. On page 14, strike beginning with "section" in line 10 through the last comma in line 11.

10. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 1369. Placed on General File.

(Signed) Roger R. Wehrbein, Chairperson

VISITORS

Visitors to the Chamber were Senator Beutler's mother and aunt, Dorothy Beutler and Elizabeth Braun; Chuck Hamernik from Clarkson; Harvey Soderholm from Lincoln; and 30 fourth grade students and teachers from Geneva Elementary School.

RECESS

At 11:59 a.m., on a motion by Senator Thompson, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senators Crosby, Dierks, Hilgert, Landis, Matzke, Price, Raikes, Robak, Schimek, and Tyson who were excused until they arrive.

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on March 9, 2000, at 12:15 p.m., was the following: LR 20CA.

(Signed) Jamie Kruse
Clerk of the Legislature's Office

SELECT FILE

LEGISLATIVE BILL 155. E & R amendment, AM7199, printed separately and referred to on page 703, was adopted.

Senator Bromm renewed his pending amendment, AM2549, found on page 797.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bromm withdrew his amendment.

Advanced to E & R for engrossment.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1401A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1401, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORTS
Judiciary

LEGISLATIVE BILL 1413. Placed on General File.

LEGISLATIVE BILL 223. Placed on General File as amended.
Standing Committee amendment to LB 223:
AM2061

1. Strike the original sections and insert the following new sections:

"Section 1. Sections 1 to 16 of this act shall be known and may be cited as the Court Appointed Special Advocate Act.

Sec. 2. For purposes of the Court Appointed Special Advocate Act, the definitions in sections 3 to 5 of this act apply.

Sec. 3. Child means an individual under nineteen years of age.

Sec. 4. Court appointed special advocate volunteer or volunteer means an individual appointed by a court pursuant to the Court Appointed Special Advocate Act.

Sec. 5. Court appointed special advocate program means a program established pursuant to the Court Appointed Special Advocate Act.

Sec. 6. (1) Court appointed special advocate programs may be established and shall operate pursuant to the Court Appointed Special Advocate Act.

(2) A court appointed special advocate program shall:

(a) Be an organization that screens, trains, and supervises court appointed special advocate volunteers to advocate for the best interests of children when appointed by a court as provided in section 10 of this act. Each court may be served by a court appointed special advocate program. One program may serve more than one court;

(b) Hold regular case conferences with volunteers to review case progress, and conduct annual performance reviews for all volunteers;

(c) Provide staff and volunteers with written program policies, practices, and procedures; and

(d) Provide the training required pursuant to section 8 of this act.

Sec. 7. The program director of the court appointed special advocate program shall be responsible for the administration of the program, including recruitment, selection, training, supervision, and evaluation of staff and court appointed special advocate volunteers.

Sec. 8. (1) All court appointed special advocate volunteers shall participate fully in preservice training, including, but not limited to, instruction on recognizing child abuse and neglect, cultural awareness, socioeconomic issues, child development, the juvenile court process, permanency planning, volunteer roles and responsibilities, advocacy, information gathering, and documentation. Volunteers shall be required to participate in observation of court proceedings prior to appointment.

(2) All volunteers shall receive a training manual that includes guidelines for service and duties.

(3) Each court appointed special advocate program shall provide a minimum of ten hours of inservice training per year to volunteers.

Sec. 9. (1) The minimum qualifications for any prospective court appointed special advocate volunteer are that he or she shall:

(a) Be at least twenty-one years of age or older and have demonstrated an interest in children and their welfare;

(b) Be willing to commit to the court for a minimum of one year of service to a child;

(c) Complete an application, including providing background information required pursuant to subsection (2) of this section;

(d) Participate in a screening interview; and

(e) Participate in the training required pursuant to section 8 of this act.

(2) As required background screening, the program director shall obtain the following information regarding a volunteer applicant:

(a) A check of the applicant's criminal history record information maintained by the Identification Division of the Federal Bureau of Investigation through the Nebraska State Patrol;

(b) A check of his or her record with the state Abused or

Neglected Child Registry;

(c) A check of his or her driving record; and

(d) At least three references who will attest to the applicant's character, judgment, and suitability for the position of a court appointed special advocate volunteer.

(3) If the applicant has lived in Nebraska for less than twelve months, the program director shall obtain the records required in subdivisions (2)(a) through (2)(c) of this section from all other jurisdictions in which the applicant has lived during the preceding year.

Sec. 10. (1) A judge may appoint a court appointed special advocate volunteer in any proceeding brought pursuant to section 43-247 or section 43-292 when, in the opinion of the judge, a child who may be affected by such proceeding requires services that a volunteer can provide and the court finds that the appointment is in the best interests of the child.

(2) A volunteer shall be appointed pursuant to a court order. The court order shall specify the volunteer as either:

(a) A co-guardian ad litem, if both a volunteer and an attorney are appointed as guardians ad litem; or

(b) A friend of the court acting on the authority of the judge. The volunteer acting as a friend of the court may offer as evidence a written report with recommendations consistent with the best interests of the child, subject to all pertinent objections.

(3) A memorandum of understanding between a court and a court appointed special advocate program is required in any county where a program is established and shall set forth the roles and responsibilities of the court appointed special advocate volunteer. For cases in which the volunteer is appointed as a co-guardian ad litem, the memorandum of understanding shall set forth the roles and responsibilities of the co-guardians ad litem.

(4) The volunteer's appointment shall conclude:

(a) When the court's jurisdiction over the child terminates;

(b) Upon discharge by the court on its own motion;

(c) With the approval of the court, at the request of the program director of the court appointed special advocate program to which the volunteer is assigned; or

(d) Upon successful motion of a party to the action for the removal of the volunteer because the party believes the volunteer has acted inappropriately, is unqualified, or is unsuitable for the appointment.

Sec. 11. A court appointed special advocate volunteer shall not:

(1) Accept any compensation for the duties and responsibilities of his or her appointment;

(2) Have any association that creates a conflict of interest with his or her duties;

(3) Be related to any party or attorney involved in a

case;

(4) Be employed in a position that could result in a conflict of interest or give rise to the appearance of a conflict; and

(5) Use the position to seek or accept gifts or special privileges.

Sec. 12. (1) Upon appointment in a proceeding, a court appointed special advocate volunteer shall:

(a) Conduct an independent examination regarding the best interests of the child that will provide factual information to the court regarding the child and the child's family. The examination may include interviews with and observations of the child, interviews with other appropriate individuals, and the review of relevant records and reports; and

(b) Determine if an appropriate permanency plan has been created for the child, whether appropriate services are being provided to the child and the child's family, and whether the treatment plan is progressing in a timely manner.

(2) The volunteer, with the support and supervision of the court appointed special advocate program staff, shall make recommendations consistent with the best interests of the child regarding placement, visitation, and appropriate services for the child and the child's family and shall prepare a written report to be distributed to the court and the parties to the proceeding.

(3) The volunteer shall monitor the case to which he or she has been appointed to assure that the child's essential needs are being met.

(4) The volunteer shall make every effort to attend all hearings, meetings, and any other proceeding concerning the case to which he or she has been appointed.

(5) The volunteer may be called as a witness in a proceeding by any party or the court.

Sec. 13. (1) All government agencies, service providers, professionals, parents, and families shall cooperate with all reasonable requests of the court appointed special advocate volunteer. The volunteer shall cooperate with all government agencies, service providers, professionals, parents, and families.

(2) The volunteer shall be notified in a timely manner of all hearings, meetings, and any other proceeding concerning the case to which he or she has been appointed. The court in its discretion may proceed notwithstanding failure to notify the volunteer or failure of the volunteer to appear.

Sec. 14. The contents of any document, record, or other information relating to a case to which the court appointed special advocate volunteer has access are confidential and the volunteer shall not disclose such information to persons other than the court, the parties to the action, and other persons authorized by the court. A violation of this section is a Class III misdemeanor.

Sec. 15. Nothing in the Court Appointed Special Advocate Act affects the attorney-client privilege.

Sec. 16. (1) Except as provided in subsection (2) of this section, a court appointed special advocate program board member, director, or staff member and court appointed special advocate volunteer are immune from civil liability in any action on the basis of any act or omission resulting in damage or injury if acting in good faith and within the scope of the Court Appointed Special Advocate Act and the damage or injury was not caused by willful and wanton misconduct.

(2) A plaintiff may sue and recover civil damages from a court appointed special advocate program board member, director, staff member, or volunteer based upon a negligent act or omission involving the operation of a motor vehicle during an activity relating to the program, except that the amount recovered from such person shall not exceed the limits of applicable insurance coverage maintained by or on behalf of such person with respect to the negligent operation of a motor vehicle in such circumstances.

Nothing in this section shall be construed to limit the right of a plaintiff to recover from a policy of uninsured or underinsured motorist coverage available to the plaintiff as a result of a motor vehicle accident.

Sec. 17. Section 43-2,129, Reissue Revised Statutes of Nebraska, is amended to read:

43-2,129. Sections 43-245 to 43-2,129 and section 18 of this act shall be known and may be cited as the Nebraska Juvenile Code.

Sec. 18. The court may appoint a court appointed special advocate volunteer pursuant to the Court Appointed Special Advocate Act.

Sec. 19. Original section 43-2,129, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 866. Placed on General File as amended.
Standing Committee amendment to LB 866:
AM0746

1. Strike original sections 12 and 13 and insert the following new section:

"Sec. 12. Section 84-906, Reissue Revised Statutes of Nebraska, is amended to read:

84-906. (1) No rule or regulation of any agency shall be valid as against any person until five days after such rule or regulation has been filed with the Secretary of State. No rule or regulation required under the Administrative Procedure Act to be filed with the Secretary of State shall remain valid as against any person until the certified copy of the rule or regulation has been so filed on the date designated and in the form prescribed by the Secretary of State. The filing of any rule or regulation shall give rise to a rebuttable presumption that it was duly and legally adopted.

(2) A rule or regulation adopted after August 1, 1994, shall be invalid unless adopted in substantial compliance with the provisions of the act, except that inadvertent failure to mail a notice of the proposed rule or regulation to any person shall not invalidate a rule or regulation.

(3) Any action to contest the validity of a rule or regulation on the grounds of its noncompliance with any provision of the act shall be commenced within four years after the effective date of the rule or regulation.

(4) The changes made to the act by Laws 1994, LB 446, shall not affect the validity or effectiveness of a rule or regulation adopted prior to August 1, 1994, or noticed for hearing prior to such date.

(5)(a) Notwithstanding any other provision of law, all rules, regulations, fiscal impact statements, and other required materials generated in accordance with the Administrative Procedure Act by the Department of Correctional Services or state charitable, mental, and reformatory institutions shall be submitted by the Secretary of State to the Office of Public Counsel for review and written recommendations.

(b) The Office of Public Counsel shall submit such materials along with its written recommendations to the standing committee of the Legislature which has subject matter jurisdiction over the issue or which has traditionally handled the issue for its final approval, amendment, modification, denial, or repeal of the referred rule or regulation.

(c) No rule or regulation required under the Administrative Procedure Act to be filed with the Secretary of State by the Department of Correctional Services or state charitable, mental, and reformatory institutions shall be valid or become effective against any person until five working days after such rule or regulation has been refiled with the Secretary of State as approved, amended, or modified by the standing committee of the Legislature which has subject-matter jurisdiction over the issue or which has traditionally handled the issue.".

2. On page 5, line 3, reinstate the stricken "(2)"; in line 15 strike "available" and insert "provided at least thirty days before such a decision is acted upon".

3. On page 7, line 25, strike "or" and insert "and"; in lines 26 and 27 strike "under section 28-105".

4. On page 8, line 5, after "81-112" insert ", 83-171,".

5. On page 10, line 11, after "she" insert "retains or" and after "entitled" insert "to".

6. On page 15, line 17, strike "84-918" and insert "84-906".

7. Renumber the remaining sections accordingly.

LEGISLATIVE BILL 972. Placed on General File as amended.

Standing Committee amendment to LB 972:
AM2558

1. Strike original section 4 and insert the following new sections:

"Sec. 4. (1) The Title IV-D Division shall establish a Customer Service Unit. In hiring the initial staff for the unit, a hiring preference shall be given to employees of the clerks of the district court. The duties of the Customer Service Unit include, but are not limited to:

(a) Providing account information as well as addressing inquiries made by customers of the State Disbursement Unit; and

(b) Administering two statewide toll-free telephone systems, one for use by employers and one for use by all other customers, to provide responses to inquiries regarding income withholding, the collection and disbursement of support order payments made to the State Disbursement Unit, and other child support enforcement issues, including establishing a call center with sufficient telephone lines, a voice response unit, and adequate personnel available during normal business hours to ensure that responses to inquiries are made by the division's personnel or the division's designee.

(2) The physical location of the Customer Service Unit shall be in Nebraska and shall ensure that adequate responses to inquiries are made by the division's personnel or the division's designee.

(3) The Director of Health and Human Services shall issue a report to the Governor and to the Legislature on or before January 31 of each year which discloses information relating to the operation of the State Disbursement Unit for the preceding calendar year including, but not limited to:

(a) The number of transactions processed by the State Disbursement Unit;

(b) The dollar amount collected by the State Disbursement Unit;

(c) The dollar amount disbursed by the State Disbursement Unit;

(d) The percentage of identifiable collections disbursed within two business days;

(e) The percentage of identifiable collections that are matched to the correct case;

(f) The number and dollar amount of insufficient funds checks received by the State Disbursement Unit;

(g) The number and dollar amount of insufficient funds checks received by the State Disbursement Unit for which restitution is subsequently made to the State Disbursement Unit;

(h) The number of incoming telephone calls processed through the Customer Service Unit;

(i) The average length of incoming calls from employers;

(j) The average length of incoming calls from all other customers;

(k) The percentage of incoming calls resulting in abandonment by the customer;

(l) The percentage of incoming calls resulting in a customer receiving a busy signal;

(m) The average holding time for all incoming calls; and

(n) The percentage of calls handled by employees of the Customer Service Unit that are resolved within twenty-four hours.

Sec. 5. (1) The State Disbursement Advisory Commission is created. Commission members shall include:

(a) One district court judge whose jurisdiction includes domestic relations;

(b) One representative of the Governor's office;

(c) One county attorney who works in child support;

(d) One district court clerk;

(e) One child support worker;

(f) One member of the Legislature;

(g) One employer, with more than seventy-five employees, who provides income withholding;

(h) One employer, with less than twenty-five employees, who provides income withholding;

(i) One custodial parent who has a court order to receive child support;

(j) One noncustodial parent who is under a support order to pay child support;

(k) The manager of the State Disbursement Unit as an ex officio member; and

(l) The director of the Title IV-D Division or his or her designee as an ex officio member.

(2)(a) The Executive Board of the Legislative Council shall appoint the members of the commission under subdivisions (1)(a) through (1)(j) of this section. The initial members of the commission shall be appointed no later than June 1, 2000. Members shall serve terms of two years, except that the initial terms of members under subdivisions (1)(f) through (1)(j) of this section shall be one year to provide for staggered terms for commission members. In the case of a vacancy, a successor shall be appointed for the unexpired term by the Executive Board. Members whose terms have expired shall continue to serve until their successors have been appointed. The commission shall select a chairperson, annually, from its membership. A chairperson may serve more than one year. Members shall serve without compensation but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as provided in sections 81-1174 to 81-1177.

(b) If determined to be necessary to perform the duties of the commission, the commission may hire, contract, or otherwise obtain the services of consultants, researchers, aides, and other necessary support staff by an affirmative vote of no less than seven commissioners and with prior approval of the chairperson of the Executive Board of the Legislative Council.

(c) For administrative purposes, the commission shall be managed and administered by the Legislative Council.

(3) The commission shall meet at least quarterly. The duties of the commission shall include, but are not limited to:

(a) Recommending to the department, if appropriate, ways to improve or enhance the effectiveness of the State Disbursement Unit and Customer Service Unit;

(b) Recommending performance indicators for the State Disbursement Unit and Customer Service Unit;

(c) Recommending legislation which would clarify and improve state law regarding support for children as it relates to the State Disbursement Unit; and

(d) Presenting an annual report of its activities and recommendations to the Executive Board of the Legislative Council by January 1 of each year.".

2. On page 3, strike beginning with "The" in line 18 through line 23 and insert

"The State Disbursement Unit may collect a fee equal to the actual cost of processing an insufficient funds check. After a payor has originated two insufficient funds checks within a period of six months, the unit may issue a notice to the originator that no further checks will be accepted from such person and that future payments are required to be paid by cash, guaranteed funds, or electronic funds transfer.".

3. On page 25, lines 21 and 28, strike "19" and insert "20".

4. On page 36, line 28; page 38, line 24; and page 39, line 1, strike "4" and insert "5".

5. On page 38, line 10, after the period insert

"In employing initial staff for the unit, a hiring preference shall be given to employees of the clerks of the district court."; in line 21, strike "Cash", show as stricken, and insert "Distributive"; and in line 24 after the period insert "Any money in the Title IV-D Support Payment Cash Fund on the operative date of this section shall be transferred to the Title IV-D Support Payment Distributive Fund.".

6. On page 39, line 2, strike "11, 14, 15, 24, 26 to 32, and 35" and insert "5, 12, 15, 16, 25, 27 to 33, and 36".

LEGISLATIVE BILL 1030. Indefinitely postponed.

(Signed) Kermit A. Brashear, Chairperson

Health and Human Services

LEGISLATIVE BILL 1167. Placed on General File as amended.
(Standing Committee amendment, AM2678, may be found in the Bill

Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Jim Jensen, Chairperson

SELECT FILE

LEGISLATIVE BILL 1018. E & R amendment, AM7201, printed separately and referred to on page 761, was adopted.

Senator Kremer renewed his pending amendment, AM2488, found on page 771.

Senator Hartnett asked unanimous consent to be excused until he returns. No objections. So ordered.

The Kremer amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

Senator Thompson renewed her pending amendment, AM2498, printed separately and referred to on page 797.

Senators Tyson, Lynch, Coordsen, and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Thompson withdrew her amendment.

Senator Beutler renewed his pending amendment, AM2544, found on page 797.

The Beutler amendment was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Senator Bromm renewed his pending amendment, AM2548, found on page 797.

The Bromm amendment was adopted with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.

Senator Chambers offered the following amendment:
FA315
Amend AM7201
P. 12, lines 22, 23, strike, "at a reasonable price and on reasonable terms and conditions"

The Chambers amendment was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Senator Robak offered the following amendment:

AM2747

(Amendments to E & R amendments, AM7201)

1. Insert the following new sections:

"Section 1. Section 60-601, Revised Statutes Supplement, 1999, is amended to read:

60-601. Sections 60-601 to 60-6,374 and section 2 of this act shall be known and may be cited as the Nebraska Rules of the Road.

Sec. 2. It is unlawful to use nitrous oxide as a fuel additive in any motor vehicle operated on any highway in this state.".

2. Renumber remaining sections, correct internal references, and correct repealer accordingly.

Senator Robak withdrew her amendment.

Senator D. Pederson asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers offered the following amendment:
FA316
P. 17, line 2, after "to" insert "and being served by"

The Chambers amendment was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Senator Chambers requested a machine vote on the advancement of the bill.

Advanced to E & R for engrossment with 28 ayes, 3 nays, 11 present and not voting, and 7 excused and not voting.

Senators Vrtiska, Jones, and Schimek asked unanimous consent to be excused until they return. No objections. So ordered.

STANDING COMMITTEE REPORTS
Education

LEGISLATIVE BILL 1003. Placed on General File as amended.
(Standing Committee amendment, AM2695, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1399. Placed on General File as amended.
Standing Committee amendment to LB 1399:
AM2719

1. Strike the original sections and insert the following new sections:

"Section 1. The Teacher Salary Task Force is created. The task force shall consist of the members appointed pursuant to section 2 of this act. The task force shall report its findings and recommendations pursuant to section 4 of this act to the Clerk of the Legislature and the Education Committee of the Legislature on or before October 1, 2000.

Sec. 2. Members of the Teacher Salary Task Force shall be appointed by the Executive Board of the Legislative Council on or before April 15, 2000, and shall include:

(1) The chairperson of the Education Committee of the Legislature;

(2) The chairperson of the Appropriations Committee of the Legislature;

(3) The chairperson of the Revenue Committee of the Legislature;

(4) A representative of a teachers' organization;

(5) A representative of an association of school boards;

(6) A representative of an association of school administrators;

(7) A teacher from a school district which is in the very sparse cost grouping pursuant to section 79-1007.02;

(8) A teacher from a school district which is in the sparse cost grouping pursuant to such section;

(9) A teacher from a school district with fewer than nine hundred students in the standard cost grouping pursuant to such section;

(10) A teacher from a school district with nine hundred or more students in the standard cost grouping pursuant to such section;

(11) A representative of the business community who has a background in human resources;

(12) A benefits consultant;

(13) A representative from a community organization aimed at assisting schools in meeting the national education goals established under the federal Goals 2000: Educate America Act, 20 U.S.C. 5801 et seq.;

(14) A representative of a Nebraska tax policy research organization; and

(15) A representative of the Governor's Policy Research Office.

For the teacher members appointed pursuant to subdivisions (7) through (10) of this section, there shall be gender, age, and experience diversity. Members of the task force shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties as members of the task force as provided in sections 81-1174 to 81-1177. The Education Committee of the Legislature, the Legislative Fiscal Analyst, and the State Department of Education shall provide research and administrative support for the task force. For budgetary purposes only, the task force shall be within the Legislative Council.

Sec. 3. The chairperson of the Education Committee of the Legislature shall be the chairperson of the Teacher Salary Task Force and shall call the initial and subsequent meetings of the task force. The initial meeting of the task force shall include a presentation from a national expert on paying teachers for what they know and how they perform and shall give an opportunity for task force members to ask the national expert questions about paying teachers for what they know and how they perform.

Sec. 4. The Teacher Salary Task Force shall study the following topics and make recommendations for Nebraska policies and potential legislation to the Clerk of the Legislature and the Education Committee of the Legislature:

(1) Paying teachers for what they know and how they perform;

(2) Creating and funding alternate pay scales for teachers who choose extended contracts;

(3) Appropriate compensation levels for attracting and retaining quality teachers;

(4) The impact of benefits as a part of total compensation for teachers;

(5) Funding methods and sources for any increases in teacher compensation suggested by the task force; and

(6) Other topics as determined by the task force.

Sec. 5. The Education Committee of the Legislature shall hold at least one public hearing in each congressional district in Nebraska on the recommendations of the Teacher Salary Task Force before December 31, 2000.

Sec. 6. The Teacher Salary Task Force terminates on December 31, 2000.

Sec. 7. Sections 7 to 14 of this act shall be known and may be cited as the Master Teacher Program Act.

Sec. 8. The Master Teacher Program is created. The purpose of the program is to build a group of recognized teachers of high achievement in the teaching profession. The State Department of Education shall administer the program.

Sec. 9. For purposes of the Master Teacher Program Act:

(1) Credentialing organization means a national nonprofit organization (a) the purpose of which is to establish high and rigorous standards in a broad range of educational areas for what accomplished teachers should know and be able to do and (b) which issues credentials to teachers who demonstrate that they meet those standards; and

(2) Teacher means a person who holds a valid certificate to teach in Nebraska issued by the Commissioner of Education, who has been employed as a teacher for at least three years in a public or private school accredited by the State Department of Education, and who continues to be employed as a teacher in such a school.

Sec. 10. Each teacher in the Master Teacher Program shall receive an annual salary bonus of seven thousand five hundred dollars. The State Department of Education shall allocate the annual salary bonus to each teacher in the program. Payment of such annual salary bonus shall not exceed the life of the credentials and shall be made only upon approval by the department of an application or upon reapproval each year after receiving the initial salary bonus.

Sec. 11. Teachers may achieve master teacher status by earning credentials from a credentialing organization. To be eligible for the Master Teacher Program, a teacher with master teacher status shall apply to the State Department of Education.

Sec. 12. The Master Teacher Program Fund is created. The fund shall be administered by the State Department of Education to carry out the purposes of the Master Teacher Program Act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 13. A teacher who applies to a credentialing organization for credentials required for master teacher status shall be eligible for a registration award to pay for application and registration fees associated with obtaining the credentials. To receive a partial registration award in the amount of one-half of the associated fees, the teacher shall register with the State Department of Education within one year of application to the credentialing organization by submitting any documentation required by rule and regulation. To receive a final registration award in the amount of the remaining fees, the teacher shall notify the department that the teacher received the credentials and shall submit any documentation required by rule and regulation.

Sec. 14. The State Board of Education shall adopt and promulgate rules and regulations to carry out the Master Teacher Program Act.

Sec. 15. Sections 15 to 23 of this act shall be known and may be cited as the Attracting Excellence to Teaching Program Act.

Sec. 16. For purposes of the Attracting Excellence to Teaching Program Act:

(1) Department means the State Department of Education;

(2) Eligible institution means a not-for-profit college or university which (a) is located in Nebraska, (b) is accredited by the North Central Association of Colleges and Schools, and (c) has a teacher education program accredited by the department;

(3) Eligible student means an individual who (a) is a full-time student, (b) is enrolled in an eligible institution in a teacher education program, and (c) if enrolled at a state-funded eligible institution, is a resident student as described in section 85-502 or, if enrolled in a privately funded eligible institution, would be deemed a resident student if enrolled in a state-funded eligible institution;

(4) Full-time student means, in the aggregate, the equivalent of a student who in a twelve-month period is enrolled in

thirty semester credit hours or forty-five quarter credit hours of classroom, laboratory, clinical, practicum, or independent study course work; and

(5) Teacher education program means a program of study which results in obtaining a bachelor's degree which meets the education requirements for certification pursuant to sections 79-806 to 79-816.

Sec. 17. The Attracting Excellence to Teaching Program is created. The purposes of the program are to:

(1) Attract outstanding students to the teacher education programs of Nebraska's postsecondary educational institutions;

(2) Retain resident students and graduates as teachers in the accredited public and private schools of Nebraska; and

(3) Establish a loan contract that requires a borrower to obtain employment as a teacher in this state after graduation.

Sec. 18. (1) The State Department of Education shall administer the Attracting Excellence to Teaching Program either directly or by contracting with a public or private entity.

(2) To be eligible for the program, a student shall:

(a) Graduate in the top quarter of his or her high school class or have a minimum cumulative grade-point average of 3.0 on a four-point scale in an eligible institution;

(b) Agree to complete a teacher education program at an eligible institution; and

(c) Commit to teach and actually teach in an accredited public or private school in Nebraska upon successful completion of a teacher education program at an eligible institution and becoming certified pursuant to sections 79-806 to 79-816.

(3) Loans in an amount not more than two thousand five hundred dollars per year shall be awarded upon application to eligible students on an annual basis. Priorities for loans shall be to eligible students who are majoring in subject shortage areas as defined by the department. Loans awarded to individual students shall not exceed a cumulative period exceeding five consecutive years. Loans shall only be awarded through an eligible institution and funded pursuant to section 19 of this act.

Sec. 19. The Attracting Excellence to Teaching Program Revolving Fund is created. The fund shall consist of appropriations by the Legislature and loan repayments, penalties, and interest payments received in the course of administering the Attracting Excellence to Teaching Program. The department shall allocate on an annual basis the funds to be distributed for the program to all eligible institutions according to the distribution formula as determined by rule and regulation. The eligible institutions shall act as agents of the department in distribution of the funds to eligible students. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 20. (1) Prior to receiving any money from a loan pursuant to the Attracting Excellence to Teaching Program, an eligible student shall enter into a contract with the department. The contract shall require that if (a) the borrower is not employed as a teacher in Nebraska for a time period equal to the number of years required for loan forgiveness pursuant to subsection (2) of this section and is not enrolled as a full-time student in a graduate program within six months after obtaining an undergraduate degree for which a loan from the program was obtained or (b) the borrower does not complete the requirements for graduation within five consecutive years after receiving the initial loan under the program, the loan must be repaid, with interest at the rate fixed pursuant to section 45-103 accruing as of the date the borrower signed the contract, and an appropriate penalty as determined by the department may be assessed. The State Board of Education may by rules and regulations provide for exceptions to the conditions of repayment pursuant to this subsection based upon mitigating circumstances.

(2) If the borrower (a) successfully completes the teacher education program and becomes certified pursuant to sections 79-806 to 79-816, (b) becomes timely employed as a teacher within the state, and (c) otherwise meets the requirements of the contract, payments shall be suspended for the number of years that the borrower is required to remain employed as a teacher in this state under the contract. For each year that the borrower teaches in Nebraska pursuant to the contract, payments shall be forgiven in an amount equal to the amount borrowed for one year, except if the borrower teaches in a school district that is at least partially in a local system classified in the very sparse cost grouping as provided in section 79-1007.02 or teaches in a school district in which at least forty percent of the students qualify for the poverty factor as provided in section 79-1007.01, payments shall be forgiven each year in an amount equal to the amount borrowed for two years.

Sec. 21. The department has the administrative responsibility to track borrowers and to develop repayment tracking and collection mechanisms. The department may contract for such services. When a loan has been forgiven pursuant to section 20 of this act, the amount forgiven becomes taxable income to the borrower and the department shall provide notification of the amount forgiven to the borrower, the Department of Revenue, and the United States Internal Revenue Service.

Sec. 22. Each eligible institution shall file an annual report with the department containing such information as required by rule and regulation. On or before November 15 of each year, the department shall submit a report to the Education Committee of the Legislature providing, at a minimum, information on an institution-by-institution basis and the status of borrowers. The report shall include a financial statement and a description of the activity of the Attracting Excellence to Teaching Program Revolving Fund.

The department shall also provide a report to the Governor and the Clerk of the Legislature by December 31, 2005, on the status of the program, the status of the borrowers, and the impact of the program on the number of teachers in Nebraska.

Sec. 23. The State Board of Education shall adopt and promulgate rules and regulations to carry out the Attracting Excellence to Teaching Program Act.

Sec. 24. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) Ardyce L. Bohlke, Chairperson

MESSAGE FROM THE SECRETARY OF STATE

March 9, 2000

Mr. President, Mr. Speaker and
Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Senators:

This is to inform the honorable members of the Legislature that I have made the following appointment on April 15, 1999, requiring Legislative confirmation:

> Nancy Reckewey, Lincoln, Nebraska 68512, to the Nebraska Accountability and Disclosure Commission to complete an unexpired six year term ending June 30, 2005.

This appointment was made by me pursuant to the provisions of Sections 49-14,105, 49-14,110, 49-14,112 and 49-14,114 and is respectfully submitted for your consideration.

Sincerely,
(Signed) Scott Moore
Secretary of State

CC: Frank Daley

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1222A. Introduced by Vrtiska, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 1222, Ninety-sixth Legislature, Second Session, 2000.

SELECT COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 1107A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

AMENDMENT - Print in Journal

Senator Landis filed the following amendment to LB 957A:
AM2718

1. Insert the following new section: "Sec. 2. The receipts for FY2000-01 and FY2001-02 inuring to the Green Futures Trust Fund are hereby credited to the fund, which fund is hereby appropriated for FY2000-01 and FY2001-02.".

2. Renumber the remaining section accordingly.

SELECT FILE

LEGISLATIVE BILL 1243. E & R amendment, AM7209, found on page 811, was adopted.

Senator Thompson renewed her pending amendment, AM2455, found on page 856.

Senators Kristensen, Engel, and Cudaback asked unanimous consent to be excused. No objections. So ordered.

The Thompson amendment was adopted with 27 ayes, 0 nays, 10 present and not voting, and 12 excused and not voting.

Senator Bohlke offered the following amendment:
AM2744

(Amendments to E & R amendments, AM7209)

1. Insert the following new sections: "Section 1. Section 79-215, Revised Statutes Supplement, 1998, is amended to read:

79-215. (1) Except as otherwise provided in this section, a student is a resident of the school district where he or she resides and shall be admitted to the school district upon request without charge.

(2) A school board shall admit any homeless student that requests admission without charge.

(3) The school district may allow a student whose residency in the district ceases during a school year to continue

attending school in such district for the remainder of that school year.

(4) A school board ~~or board of education~~ may admit nonresident ~~pupils~~ students to the school district~~, may determine the rate of tuition of the pupils,~~ pursuant to a contract with the district where the student is a resident and shall collect ~~such~~ tuition pursuant to the contract.

(5) A school board may admit nonresident students to the school district pursuant to the enrollment option program as authorized by sections 79-232 to 79-247, and such admission shall be without charge.

(6) A school board may admit a student who is a resident of another state to the school district and collect tuition in advance at a rate determined by the school board.

(7) ~~in advance except as otherwise provided in this section.~~

~~(2)~~ When the ~~pupil~~ student as a ward of the state or as a ward of any court (a) has been placed in a school district other than the district in which he or she resided at the time he or she became a ward and such ward does not reside in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used ~~by the Department of Correctional Services~~ pursuant to section 83-108.04 or (b) has been placed in any institution which maintains a special education program which has been approved by the State Department of Education and such institution is not owned or operated by the ~~pupil's resident school~~ district in which he or she resided at the time he or she became a ward, the cost of his or her education and the required transportation costs associated with the ~~child's~~ student's education shall be paid by the state, but not in advance, to the receiving school district or approved institution under rules and regulations prescribed by the Department of Health and Human Services and the student shall remain a resident of the district in which he or she resided at the time he or she became a ward. Any ~~pupil~~ student who is a ward of the state or a ward of any court who resides in a foster family home licensed or approved by the Department of Health and Human Services or a foster home maintained or used ~~by the Department of Correctional Services~~ pursuant to section 83-108.04 shall be deemed a resident of the district in which the foster family home or foster home is located.

~~(3)~~ (8) When the student is not a ward of the state or a ward of any court and is residing in a residential setting located in Nebraska for reasons other than to receive an education and the residential setting is operated by a service provider which is certified or licensed by the Department of Health and Human Services or is enrolled in the medical assistance program established under sections 68-1018 to 68-1025 and Title XIX or XXI of the federal Social Security Act, as amended, the student shall remain a resident of the district in which he or she resided immediately prior to residing in such residential setting. Upon request by a parent or legal guardian, the resident school district shall contract with the district in which such residential setting is located for the provision of all educational services, including all special education services. If the parent or legal guardian has requested that the resident school district contract with the district in which such residential setting is located, the district in which such residential setting is located shall contract with the resident district and provide all educational services, including all special education services, to the student. If the two districts cannot agree on the amount of the contract, the State Department of Education shall determine the amount to be paid by the resident district to the district in which such residential setting is located based on the needs of the student, approved special education rates, the department's general experience with special education budgets, and the cost per student in the district in which such residential setting is located. Once the contract has been entered into all legal responsibility for special education and related services shall be transferred to the school district in which the residential setting is located. The resident district for a student who is not a ward of the state or a ward of any court does not change when the student moves from one residential setting to another.

(9) In the case of any individual eighteen years of age or younger who is a ward of the state or any court and who is placed in a county detention home established under section 43-2,110, the cost of his or her education shall be paid by the state, regardless of ~~such individual's district of residency~~ the district in which he or she resided at the time he or she became a ward, to the agency or institution which: (a) Is selected by the county board with jurisdiction over such detention home; (b) has agreed or contracted with such county board to provide educational services; and (c) has been approved by the State Department of Education pursuant to rules and regulations prescribed by the State Board of Education.

~~(4)~~ (10) No tuition shall be charged for ~~children~~ students who may be by law allowed to attend the school without charge.

(11) On a form prescribed by the State Department of Education, an adult with legal or actual charge or control of the student shall provide the name of the student, the name of the adult with legal or actual charge or control of the student, the address where the student is residing, and the phone number and address where the adult may generally be reached during the school day. If the student is homeless or if the adult does not have a phone number and address where he or she may generally be reached during the school day, those parts of the form may be left blank and a box may be marked acknowledging that these are the reasons these parts of the form were left blank. The adult with legal or

actual charge or control of the student shall also sign the form.

(12) The department shall adopt and promulgate rules and regulations to carry out the department's responsibilities under this section. ~~The school district in which the parent or guardian of any nonresident pupil maintains his or her legal residence shall not be liable for the payment of tuition and the children of school age of such parent or guardian shall be entitled to free common school privileges the same as any child who is a bona fide resident of such school district whenever the parent or guardian of such nonresident pupil, having entered the public service of the State of Nebraska, has moved from the school district in which he or she maintains legal residence into another school district for temporary purposes incidental to serving the state, without the intention of making the school district to which the parent or guardian has moved his or her legal residence. No tuition shall be charged for a child whose parents are divorced if such child attends school in a district in which either parent resides. The burden of proof as to legal residence shall rest with the person claiming legal residence in any district. The school district may allow a pupil whose residency in the district ceases during a school year to continue attending school for the remainder of that school year without payment of tuition.~~

~~(5) The school board or board of education may admit nonresident pupils to the school district without requiring the payment of tuition if such pupils are in the actual physical custody of a resident of the school district and are not residents of an adjoining school district and the board determines that the pupils would otherwise be denied guaranteed free common school privileges.~~

~~(6) The changes made to this section by Laws 1992, LB 3, Ninety-second Legislature, Third Special Session, shall apply to all reimbursements under this section for school year 1992-93 and all school years thereafter.~~

Sec. 2. Section 79-534, Reissue Revised Statutes of Nebraska, is amended to read:

79-534. All Class III school districts shall be under the direction and control of the boards of education elected pursuant to section 32-543. ~~The schools of such school district shall be free to all children who are five through twenty years of age whose parents or guardians are legal residents of such school district and all children of school age, nonresidents of the school district, who are or may be by law allowed to attend the schools without charge.~~

Sec. 3. Section 79-535, Reissue Revised Statutes of Nebraska, is amended to read:

79-535. All schools erected or organized within the limits of cities of the metropolitan class shall be under the direction and control of the board of education authorized by section 79-552. ~~Such schools shall be free to all children who are~~

~~five through twenty years of age whose parents or guardians reside within the limits of the school district and to all children of school age, nonresidents of the district, who are or may be by law allowed to attend such school without charge.~~

Sec. 5. The following section is outright repealed: Section 79-1123, Reissue Revised Statutes of Nebraska.".

2. On page 2, line 1, strike "section" and insert "sections 79-534 and 79-535, Reissue Revised Statutes of Nebraska, sections 79-215 and".

3. Renumber the remaining sections accordingly.

The Bohlke amendment was adopted with 28 ayes, 0 nays, 9 present and not voting, and 12 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1243A. Advanced to E & R for engrossment.

WITHDRAW - Cointroducer

Senator Robak withdrew her name as cointroducer to LB 1405.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 1348:
FA314
Amend AM2527
P. 7, line 27, strike "fifty" and insert "twenty-five"

Senator Smith filed the following amendment to LB 659A:
AM2743

1. Insert the following new sections:

"Sec. 2. There is hereby appropriated (1) $57,743 from the Compulsive Gamblers Assistance Fund for FY2000-01 and (2) $57,743 from the Compulsive Gamblers Assistance Fund for FY2001-02 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $34,631 for FY2000-01 or $36,637 for FY2001-02.

Sec. 3. There is hereby appropriated (1) $760,257 from the Compulsive Gamblers Assistance Fund for FY2000-01 and (2) $754,257 from the Compulsive Gamblers Assistance Fund for FY2001-02 to the Department of Health and Human Services, for Program 34, to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

Senator Beutler filed the following amendment to LB 1107:
AM2726

1. Insert the following new section:

"Sec. 4. The State Department of Education shall conduct a study of the school systems in the standard cost grouping described in section 79-1007.02 and shall recommend to the Legislature by December 1, 2001, a detailed plan to reduce the total number of school systems in the standard cost grouping to not more than one hundred sixty-three school systems by June 1, 2005, and shall use in such plan the configurations that best maximize educational benefits to the students of the state as a whole. The study shall identify to the Legislature the specific systems to be merged or unified and shall recite the specific facts considered in making each of the recommendations. The State Board of Education shall appoint an advisory committee consisting of teachers, administrators, school board members, business leaders, and community representatives to work with the department in conducting the study. Each school district shall provide to the department all information requested by the board in a timely fashion.".

2. Renumber the remaining section accordingly.

VISITORS

Visitors to the Chamber were Russell Loontjer from Hebron; Nolan Unterseher and Nathan McKenzie from Sutton; and Cheryl and Mark Schlickbernd, Agnes and Dennis Dinslage, and Shirley and Phil Burns from West Point.

The Doctor of the Day was Dr. Bruce Gfeller from Lincoln.

ADJOURNMENT

At 4:13 p.m., on a motion by Senator Connealy, the Legislature adjourned until 9:00 a.m., Friday, March 10, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-FIRST DAY - MARCH 10, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

FORTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 10, 2000

PRAYER

The prayer was offered by Reverend Chris Lenning, St. Paul's Lutheran Church, Hooper, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Cudaback, Kristensen, Landis, and Schrock who were excused; and Senators Coordsen, Dickey, Kiel, Raikes, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fortieth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 9, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Keigher, Timothy - Lincoln; Nebraska Petroleum Marketers & Convenience Store Association
Milder, Ally - Omaha; Nebraskans Against Expanded Gambling
Schmit Industries, Incorporated - Lincoln; Nebraska Grain & Feed

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendments to LB 628:

(1)

AM2732

(Amendments to E & R amendments, AM7223)

1. Insert the following new section:

"Sec. 4. Section 84-712.05, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.05. The following records, unless publicly disclosed in an open court, open administrative proceeding, or open meeting or disclosed by a public entity pursuant to its duties, may be withheld from the public by the lawful custodian of the records:

(1) Personal information in records regarding a student, prospective student, or former student of any tax-supported educational institution maintaining the records, other than routine directory information;

(2) Medical records, other than records of births and deaths and except as provided in subdivision (5) of this section, in any form concerning any person, and also records of elections filed under section 44-2821;

(3) Trade secrets, academic and scientific research work which is in progress and unpublished, including research reports requested by public officials which are in draft form and which have not been furnished to the public official for whom the report was prepared, and other proprietary or commercial information which if released would give advantage to business competitors and serve no public purpose;

(4) Records which represent the work product of an attorney and the public body involved which are related to preparation for litigation, labor negotiations, or claims made by or against the public body or which are confidential communications as defined in section 27-503;

(5) Records developed or received by law enforcement agencies and other public bodies charged with duties of investigation or examination of persons, institutions, or businesses, when the records constitute a part of the examination, investigation, intelligence information, citizen complaints or inquiries, informant identification, or strategic or tactical information used in law enforcement training, except that this subdivision shall not apply to records so developed or received relating to the presence of and amount or concentration of alcohol or drugs in any body fluid of any person;

(6) Appraisals or appraisal information and negotiation records concerning the purchase or sale, by a public body, of any interest in real or personal property, prior to completion of the purchase or sale;

(7) Personal information in records regarding personnel of public bodies other than salaries and routine directory

information;

(8) Information solely pertaining to protection of the physical security of public property such as guard schedules; lock combinations; or the security standards, procedures, policies, plans, specifications, diagrams, access lists, and other security-related records of the Lottery Division of the Department of Revenue and those persons or entities with which the division has entered into contractual relationships. Nothing in this subdivision shall allow the division to withhold from the public any information relating to amounts paid persons or entities with which the division has entered into contractual relationships, amounts of prizes paid, the name of the prize winner, and the city, village, or county where the prize winner resides;

(9) With respect to public utilities and except as provided in sections 43-512.06 and 70-101, personally identified private citizen account payment information, credit information on others supplied in confidence, and customer lists;

(10) Records or portions of records kept by a publicly funded library which, when examined with or without other records, reveal the identity of any library patron using the library's materials or services;

(11) Correspondence, memoranda, and records of telephone calls related to the performance of duties by a member of the Legislature in whatever form. The lawful custodian of the correspondence, memoranda, and records of telephone calls, upon approval of the Executive Board of the Legislative Council, shall release the correspondence, memoranda, and records of telephone calls which are not designated as sensitive or confidential in nature to any person performing an audit of the Legislature. A member's correspondence, memoranda, and records of confidential telephone calls related to the performance of his or her legislative duties shall only be released to any other person with the explicit approval of the member;

(12) Records or portions of records kept by public bodies which would reveal the location, character, or ownership of any known archaeological, historical, or paleontological site in Nebraska when necessary to protect the site from a reasonably held fear of theft, vandalism, or trespass. This section shall not apply to the release of information for the purpose of scholarly research, examination by other public bodies for the protection of the resource or by recognized tribes, the Unmarked Human Burial Sites and Skeletal Remains Protection Act, or the federal Native American Graves Protection and Repatriation Act;

(13) Records or portions of records kept by public bodies which maintain collections of archaeological, historical, or paleontological significance which reveal the names and addresses of donors of such articles of archaeological, historical, or paleontological significance unless the donor approves disclosure, except as the records or portions thereof may be needed to carry

out the purposes of the Unmarked Human Burial Sites and Skeletal Remains Protection Act or the federal Native American Graves Protection and Repatriation Act; and

(14) Job application materials submitted by applicants, other than finalists, who have applied for employment by any public body as defined in section 84-1409. For purposes of this subdivision, job application materials means employment applications, resumes, reference letters, and school transcripts, and finalist means any applicant who is offered and who accepts an interview by a public body or its agents, representatives, or consultants for any public employment position.".

2. On page 6, line 16, strike "and"; and in line 17 after the first comma insert "and 84-712.05,".

3. Renumber the remaining sections accordingly.

(2)

AM2734

(Amendments to E & R amendments, AM7223)

1. On page 3, line 7, after "a" insert "written".

(3)

AM2735

(Amendments to E & R amendments, AM7223)

1. On page 3, line 18, after "request" insert "or due to difficulty requiring legal advice in determining whether a particular requested document is a public record".

(4)

AM2733

(Amendments to E & R amendments, AM7223)

1. On page 3, line 21, after "prioritize" insert "the items within".

RESOLUTION

LEGISLATIVE RESOLUTION 317. Introduced by Kremer, 34.

WHEREAS, the Sandy Creek Lady Cougars girls' basketball team, coached by Russ Ninemire, are the Class C-2 State Girls' Basketball Champions; and

WHEREAS, the Sandy Creek Lady Cougars claimed the state record for a team winning streak with 90 consecutive game wins; and

WHEREAS, the Sandy Creek Lady Cougars claimed a state record with their fifth straight Class C-2 title; and

WHEREAS, it was their tenth consecutive trip to the girls' state tournament.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its congratulations to the Sandy Creek

girls' basketball team and their coach, Russ Ninemire.

2. That a copy of this resolution be sent to Sandy Creek High School.

Laid over.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 74.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-672 and 60-688, Reissue Revised Statutes of Nebraska; to change provisions relating to traffic infractions; to redefine a term; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Crosby	Dierks	Engel
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kremer	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Redfield
Schimek	Schmitt	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Excused and not voting, 9:

Coordsen	Cudaback	Dickey	Kiel	Kristensen
Landis	Raikes	Robak	Schrock	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 692.

A BILL FOR AN ACT relating to government; to amend sections 2-3328, 2-3331, 14-2145, 14-2146, 23-905, 23-1608, 23-1609, 29-752, 72-417, and 84-304.03, Reissue Revised Statutes of Nebraska, and section 49-617, Revised Statutes Supplement, 1999; to change and eliminate powers and duties of the Auditor of Public Accounts; to provide, change, and eliminate powers and duties relating to audits and audit reports; to change provisions relating to distribution of statute books and standards for auditors; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-3329, 23-1610, 23-1613, 23-1614, and 84-301, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Schimek Schmitt
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 6:

Cudaback Kiel Kristensen Landis Robak
Schrock

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1258. With Emergency.

A BILL FOR AN ACT relating to the Local Option Municipal Economic Development Act; to amend section 18-2717, Reissue Revised Statutes of Nebraska; to change a funding limitation; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Schimek Schmitt

Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Excused and not voting, 6:

Cudaback	Kiel	Kristensen	Landis	Robak
Schrock				

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

WITHDRAW - Amendment to LB 438

Senator Redfield withdrew her amendment, AM2452, found on page 746, to LB 438.

MOTION - Return LB 438 to Select File

Senator Redfield moved to return LB 438 to Select File for her specific amendment, AM2490, found on page 760.

The Redfield motion to return prevailed with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 438. The Redfield specific amendment, AM2490, found on page 760, was adopted with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

Advanced to E & R for reengrossment.

LEGISLATIVE BILL 930. E & R amendment, AM7211, found on page 888, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 944. Advanced to E & R for engrossment.
LEGISLATIVE BILL 960. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1317. E & R amendment, AM7212, found on page 912, was adopted.

Senator Beutler offered the following amendment:
AM2757

(Amendments to AM2481)

1. Strike section 6.

2. On page 34, line 20, after "functions" insert "except functions which may involve bulk distributions for surveys, marketing, or exhibitions".
3. On page 36, line 18, strike "60-483,".
4. Renumber the remaining sections and correct internal references accordingly.

Senator Beutler withdrew his amendment.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1401. E & R amendment, AM7220, printed separately and referred to on page 912, was adopted.

Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 1401A. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1192. E & R amendment, AM7213, printed separately and referred to on page 888, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 921. E & R amendment, AM7218, printed separately and referred to on page 913, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 957. E & R amendment, AM7205, found on page 782, was adopted.

Senator Preister withdrew the Landis amendment, AM2639, found on page 906.

Senator Dierks renewed his pending amendment, AM2676, found on page 930.

The Dierks amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Senator Preister offered the following Landis amendment:
AM2748

1. Insert the following new sections:

"Sec. 7. Section 81-15,167, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,167. Sections 81-15,167 to 81-15,176 and section 11 of this act shall be known and may be cited as the Nebraska Environmental Trust Act.

Sec. 8. Section 81-15,169, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,169. For purposes of the Nebraska Environmental Trust Act:

(1) Board ~~shall mean~~ means the Nebraska Environmental Trust Board; and

(2) ~~Fund shall mean the Nebraska Environmental Trust Fund; and~~

~~(3)~~ Trust ~~shall mean~~ means the Nebraska Environmental Trust.

Sec. 9. Section 81-15,173, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,173. The board shall have and may exercise the following powers and duties:

(1) Adopt bylaws to govern the proceedings of the board;

(2) Keep records, conduct hearings, and adopt and promulgate rules and regulations to carry out its duties and implement the Nebraska Environmental Trust Act;

(3) Contract with the Game and Parks Commission for administrative support and with governmental agencies for technical assistance;

(4) Establish environmental priorities for use of the ~~trust~~ funds;

(5) Establish ad hoc advisory boards and subcommittees;

(6) Sponsor or assist environmental proposals pertaining to the environmental priorities of the board, including issuing grants to agencies, organizations, and persons engaged in the purposes of the trust;

(7) Cooperate with or assist any unit of the state, any political subdivision, or any private, public, or federal agency, foundation, or person in furtherance of the purposes of the trust; ~~and~~

(8) Acquire and dispose of personal property in furtherance of the purposes of the trust; and

(9) Apply for or accept any ~~monetary~~ gift, grant, bequest, royalty, or donation, designate the fund to which it will be credited, and expend the proceeds in furtherance of the purposes of the trust. ~~and use it for the general purposes of the trust.~~

Sec. 10. Section 81-15,174, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,174. There is hereby established the Nebraska Environmental Trust Fund which shall be a cash fund. The fund shall be used to carry out the purposes of the Nebraska

Environmental Trust Act, including administrative costs. Money in the fund shall include proceeds credited pursuant to section 9-812 and ~~any monetary gifts, grants, or donations~~ proceeds designated by the board pursuant to section 81-15,173. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 11. The Nebraska Environmental Endowment Fund is created. The fund shall be used to carry out the purposes of the Nebraska Environmental Trust Act. The fund shall include proceeds designated by the board pursuant to section 81-15,173, including grants from the Nebraska Environmental Trust Fund. Grants from the Nebraska Environmental Trust Fund to the Nebraska Environmental Endowment Fund shall be no more than twice the total of any other proceeds received by the Nebraska Environmental Endowment Fund for the same year. Such grants, considered in the aggregate, shall in no case exceed fifty percent of the total proceeds credited to the Nebraska Environmental Trust Fund pursuant to section 9-812 for that year.

Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Allocations received by the Nebraska Environmental Endowment Fund from the Nebraska Environmental Trust Fund shall not be reallocated by the board, but shall remain invested. Any interest income earned by the Nebraska Environmental Endowment Fund shall be available for allocation by the board as provided in section 81-15,175.

Sec. 12. Section 81-15,175, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,175. (1) The board may make an annual allocation from the Nebraska Environmental Trust Fund to the Nebraska Environmental Endowment Fund as provided in section 11 of this act. The board shall make annual allocations from the ~~fund~~ Nebraska Environmental Trust Fund and from the Nebraska Environmental Endowment Fund for projects which conform to the environmental priorities of the board established pursuant to section 81-15,176 and to the extent the board determines those projects to have merit. The board shall establish an annual calendar for receiving and evaluating proposals and awarding grants. To evaluate the economic, financial, and technical feasibility of proposals, the board may establish subcommittees, request or contract for assistance, or establish advisory groups. Private citizens serving on advisory groups shall be reimbursed for their actual and necessary expenses pursuant to sections 81-1174 to 81-1177.

(2) The board shall establish a rating system for ranking proposals which meet the board's environmental priorities and other criteria. The rating system shall include, but not be limited to, the following considerations:

(a) Conformance with priorities established pursuant to section 81-15,176;

(b) Amount of funds committed from other funding sources;

(c) Encouragement of public-private partnerships;

(d) Geographic mix of projects over time;

(e) Cost-effectiveness and economic impact;

(f) Direct environmental impact; and

(g) Environmental benefit to the general public and the long-term nature of such public benefit.

(3) The results of the annual rating of proposals shall guide the board's allocation of funds, except that the board may assign a higher rating to any proposal with an affirmative vote of eleven members. The motion for such an action shall specify the reasons for such action. The board may commit funds to multiyear projects, subject to available funds and appropriations. No commitment shall exceed three years without formal action by the board to renew the grant or contract. Multiyear commitments may be exempt from the rating process, except for the initial application and requests to renew the commitment.

(4) The board shall adopt and promulgate rules and regulations and publish guidelines governing allocations from the fund. The board shall conduct annual reviews of existing projects for compliance with project goals and grant requirements.

Sec. 13. Section 81-15,176, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,176. (1) Subject to subsection (3) of this section, the board shall establish environmental priorities for the trust. The board, after allowing opportunity for public comment, shall designate as priorities those environmental goals which most affect the natural physical and biological environment in Nebraska, including the air, land, ground water and surface water, flora and fauna, prairies and forests, wildlife and wildlife habitat, and areas of aesthetic or scenic values. In designating environmental priorities, the board shall attempt to focus on the areas which promise the greatest opportunities for effective action to achieve and preserve the future environmental quality in the state. The board shall establish priorities for five-year periods beginning July 1, 1995, except that the board may make annual modifications to refine and clarify its priorities. The board shall provide for public involvement in developing the priorities for such five-year periods, including public meetings in each of the three congressional districts.

(2) The board shall establish criteria for determining the eligibility of projects for grant assistance, ~~from the fund,~~ which criteria shall include the following:

(a) The ~~fund~~ grants shall not provide direct assistance to regulatory programs or to implement actions mandated by regulations except remediation;

(b) ~~Before January 1, 1997, no more than twenty-five~~

~~percent of allocations in any year shall assist remediation of soils or ground water, and no allocation for this purpose shall occur unless all other available sources of funding are, in the opinion of the board, being substantially utilized. On and after January 1, 1997, no~~ No more than sixty percent of grant allocations in any year shall assist remediation of soils or ground water, and no ~~allocation~~ grants for this purpose shall occur unless all other available sources of funding are, in the opinion of the board, being substantially utilized;

(c) The ~~fund~~ grants shall not pay for private benefits or to relieve private liability for environmental damage;

(d) The ~~fund~~ grants shall not pay for projects which have direct beneficiaries who could afford the costs of the benefits without experiencing serious financial hardship;

(e) The ~~fund~~ grants should assist those projects which offer the greatest environmental benefits relative to cost;

(f) The ~~fund~~ grants should assist those projects which provide clear and direct environmental benefits;

(g) The ~~fund~~ grants should assist those projects which will make a real contribution to achieving the board's environmental priorities;

(h) The ~~fund~~ grants should assist those projects which offer the greatest public benefits; and

(i) The ~~fund~~ grants shall not pay for land or easements acquired without the full and express consent of the landowner.

(3) Until the first five-year priorities become effective on July 1, 1995, the board shall observe the following priorities for allocating ~~funds~~ grants:

(a) Critical habitat areas, including wetlands acquisition, preservation, and restoration and acquisition and easements of areas critical to rare or endangered species;

(b) Surface water quality, including actions to preserve lakes and streams from degradation;

(c) Ground water quality, including fostering best management practices as defined in section 46-656.07, actions to preserve ground water from degradation, and remediation of soils or ground water; and

(d) Development of recycling markets and reduction of solid waste volume and toxicity.

(4) The board may refine and clarify these initial priorities.

Sec. 14. Original sections 81-15,167, 81-15,169, 81-15,173, 81-15,174, 81-15,175, and 81-15,176, Reissue Revised Statutes of Nebraska, are repealed.".

2. Insert underscoring in original sections 1 to 6.

3. Renumber the remaining section accordingly.

The Landis amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Dierks offered the following amendment:
FA317
Amend AM2676
On page 1, lines 16 & 17, strike "Natural Resources Commission" and insert "Director of Natural Resources"

The Dierks amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 957A. The Landis amendment, AM2718, found on page 994, was withdrawn.

Senator Dierks offered the following amendment:
AM2730

1. On page 2, line 2, after "and" insert "an estimated"; and after line 7 insert: "It is the intent of the Legislature that the agency shall expend the Carbon Sequestration Assessment Cash Fund prior to expending General Funds.".

The Dierks amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

SENATOR JANSSEN PRESIDING

Senator Dierks offered the following amendment:
AM2728

1. On page 2, line 4, strike "Nebraska" and insert "Department of"; and in line 5 strike "Commission".

The Dierks amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Senator Preister offered the following Landis amendment:
AM2754

1. Insert the following new section: "Sec. 2. The receipts for FY2000-01 and FY2001-02 inuring to the Nebraska Environmental Endowment Fund are hereby credited to the fund, which fund is hereby appropriated for FY2000-01 and FY2001-02.".
2. Renumber the remaining section accordingly.

The Landis amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1135. E & R amendment, AM7206, printed separately and referred to on page 782, was adopted.

Senator Brown renewed her pending amendment, AM2585, found on page 900.

The Brown amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Senator Smith renewed the Landis pending amendment, AM2619, found on page 905.

Senator Wickersham renewed his pending amendment, AM2694, found on page 944, to the Landis pending amendment.

Senator Wickersham withdrew his amendment.

Senator Smith withdrew the Landis amendment.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 953. E & R amendment, AM7219, found on page 913, was adopted.

Senator Hilgert renewed his pending amendment, AM2674, printed separately and referred to on page 973.

The Hilgert amendment lost with 12 ayes, 3 nays, 30 present and not voting, and 4 excused and not voting.

Senator Matzke moved to indefinitely postpone LB 953.

Laid over.

AMENDMENTS - Print in Journal

Senator Stuhr filed the following amendment to LB 1234:
AM2772

(Amendments to Standing Committee amendments, AM2553)

1. Strike amendment 1 and all amendments thereto and insert the following new amendment:

"1. Strike the original sections and insert the following new sections:

'Section 1. (1) For calendar year 2001, all sales of motor vehicle fuel with an alcohol blend by a retailer in Nebraska shall equal at least twenty-five percent of such retailer's total sales of motor vehicle fuel reported for sales in calendar year 2001. For calendar year 2002, all sales of motor vehicle fuel with an alcohol blend by a retailer in Nebraska shall equal at least thirty-five percent of such retailer's total sales of motor vehicle fuel reported for sales in calendar year 2002. For calendar year 2003 and each calendar year thereafter, all sales of motor vehicle fuel with an alcohol blend by a retailer in Nebraska shall equal at least fifty percent of such retailer's total sales of motor vehicle fuel reported for sales in the calendar year in which the fuel is sold.

(2) The Department of Revenue shall monitor on a monthly basis the total sales of motor vehicle fuel sold per retailer and the total sales of motor vehicle fuel with an alcohol blend sold per retailer. Each calendar year, the department shall determine for each retailer the percentage of total sales of motor vehicle fuel with an alcohol blend in relation to such retailer's total sales of motor vehicle fuel. On or before December 1 of each year, the department shall issue a report to the Legislature regarding the information gathered pursuant to this section.

(3) For purposes of this section, alcohol blend has the same meaning as defined in section 66-482.

Sec. 2. The Attorney General shall enforce section 1 of this act and may:

(1) Subpoena witnesses, compel their attendance, examine them under oath, and require the production of documents, records, or tangible things deemed relevant to the proper performance of his or her duties. Service of any subpoena shall be made in the manner prescribed by the rules of civil procedure;

(2) Bring suit to enjoin a violation or threatened violation of section 1 of this act. Venue for such action shall be in the county in which the alleged violation occurred, is occurring, or is threatening to occur, or in Lancaster County; and

(3) Impose or levy an administrative fine of not more than five thousand dollars on any person who has violated section 1 of this act. Any separate activity or day in which an activity takes place shall be considered to be a separate violation.

Sec. 3. This act becomes operative on January 1, 2001.'.".

Senators Bromm, Hilgert, Chambers, and Engel filed the following amendment to LB 1004:

AM2740

(Amendments to AM2582)

1. On page 7, line 14; and page 17, line 7, after "state" insert: ". In any case charging a violation under this section, the prosecutor or investigating agency shall use due diligence to obtain the defendant's driving record from the Department of Motor Vehicles and the defendant's driving record from other states where he or she is known to have resided within the last twelve years. The prosecutor shall certify to the court, prior to sentencing, that such action has been taken.".

RESOLUTION

LEGISLATIVE RESOLUTION 318. Introduced by Stuhr, 24.

WHEREAS, the McCool Junction High School girls' basketball team won the Class D-2 Girls' State High School Basketball Tournament with a 52-30 victory over Newcastle; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the McCool Junction High School girls' basketball team be congratulated for their exemplary effort this season and in the Girls' State High School Basketball Tournament.
2. That a copy of this resolution be sent to Coaches Jason Arbuck and Vance Springer of the Lady Mustangs and McCool Junction High School.

Laid over.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 414A. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 414, Ninety-sixth Legislature, Second Session, 2000.

COMMUNICATION

March 10, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 510, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

SELECT FILE

LEGISLATIVE BILL 1107. E & R amendment, AM7214, found on page 888, was adopted.

Senator D. Pederson asked unanimous consent to be excused. No objections. So ordered.

Senator Wickersham renewed his pending amendment, AM2717, found on page 957.

The Wickersham amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Beutler withdrew his amendment, AM2726, found on page 999.

Senator Raikes offered the following amendment:
AM2766

1. On page 7, line 10, strike "forty-five" and insert "forty-seven".

Pending.

STANDING COMMITTEE REPORTS
Agriculture

LEGISLATIVE BILL 1432. Placed on General File as amended.
Standing Committee amendment to LB 1432:
AM2713

1. Insert the following new sections:

"Sec. 3. For purposes of the Agricultural Suppliers Lease Protection Act:

(1) Agricultural tenant means any public warehouse licensee as defined in section 88-526 or any other persons primarily engaged in the sale or distribution of fertilizer, agricultural chemicals, or other products used or useful in the production of agricultural crops and livestock occupying railroad land owned or controlled by a railroad or its successor in interest;

(2) Good faith means honesty in fact in the conduct of the transaction concerned;

(3) Lease means any agreement between a railroad and a tenant under the terms of which a tenant occupies the surface of railroad land;

(4) Railroad land means any land acquired by a railroad in strips for right-of-way and any parcel or tract acquired by a railroad adjacent to its right-of-way to aid in the construction, maintenance, and accommodation of its railway and which is occupied pursuant to a lease by a tenant who owns improvements thereon; and

(5) Successor in interest includes any agent, successor, assignee, trustee, receiver, or other person acquiring interests or rights in railroad land, including, but not limited to, the owner or holder of any servient estate or right of reversion relating to railroad land.

Sec. 6. The Agricultural Suppliers Lease Protection Act shall not apply to any valid lease entered into prior to the effective date of this act or any renewal or extension thereof on the same terms and conditions, but the provisions of the act shall apply to and govern any renewal or extension of such lease on any different terms or conditions or any material modifications of any such lease effected on or after the effective date of this act.".

2. On page 2, line 21, strike "(a)" and after "regarding" insert "application and reasonableness of"; strike beginning with the last "a" in line 24 through "on" in line 25 and insert "railroad"; and strike line 28.

3. On page 3, strike lines 1 through 6; in line 9 strike "negotiation is requested in writing" and insert "notification is given to an agricultural tenant by a railroad or its successor in interest that it wishes to (a) renew a lease upon new terms, (b) terminate a lease, (c) not renew a lease upon the expiration of a current lease, or (d) change the terms of an existing lease"; after line 19 insert the following new subsection:

"(4) All costs incurred by the department investigating and determining all matters in controversy pursuant to subsection (3) of this section shall be paid equally by the parties."; and strike beginning with "(1)" in line 20 through line 28 and insert

"(1) At the expiration of an existing lease, the agricultural tenant shall be given the opportunity to renew the lease at fair market value. Controversies regarding what constitutes fair market value shall be governed by section 4 of this act. If the agricultural tenant agrees to renew the lease at fair market value, the lease shall be given to the agricultural tenant. When a person other than the current leaseholder becomes the lessee of a leasehold site described in subdivision (1) of section 4 of this act or the lease is terminated by the lessor for reasons other than nonpayment or other material breach of the lease, the lessor or new lessee shall compensate the former leaseholder for the fair market value of improvements made by the former leaseholder. The lessor or new lessee shall not be required to compensate the former leaseholder for the fair market value of improvements made by the former leaseholder if the former leaseholder elects not to renew the lease at fair market value.".

4. On page 4, strike lines 1 and 2.

5. Renumber the remaining sections and correct internal references accordingly.

LEGISLATIVE BILL 842. Indefinitely postponed.

(Signed) Merton L. Dierks, Chairperson

AMENDMENTS - Print in Journal

Senator Jensen filed the following amendment to LB 973:
AM2770

1. Insert the following new section:

"Sec. 2. Section 53-1,104, Revised Statutes Supplement, 1999, is amended to read:

53-1,104. (1) Any licensee which sells or permits the sale of any alcoholic liquor not authorized under the terms of such license on the licensed premises or in connection with such licensee's business or otherwise shall be subject to suspension, cancellation, or revocation of such license by the commission.

(2) When an order suspending a retail license to sell alcoholic liquor becomes final, the licensee may elect to pay a cash penalty to the commission in lieu of suspending sales of alcoholic liquor for the designated period if such election is not prohibited by order of the commission. ~~For~~ Except as otherwise provided in subsection (3) of this section, for the first such suspension for any licensee, the penalty shall be fifty dollars per day, and for ~~. For~~ a second or any subsequent suspension, the penalty shall be one hundred dollars per day. ~~, except that:~~

(3)(a) For a second suspension for violation of section 53-180 or 53-180.02 occurring within four years after the date of the first suspension, the commission, in its discretion, may order that the licensee be required to suspend sales of alcoholic liquor for a period of time not to exceed forty-eight hours and that the licensee may not elect to pay a cash penalty. The commission may use the required suspension of sales of alcoholic liquor penalty either alone or in conjunction with suspension periods for which the licensee may elect to pay a cash penalty. For purposes of this subsection, second suspension for violation of section 53-180 shall include suspension for a violation of section 53-180.02 following suspension for a violation of section 53-180 and second suspension for violation of section 53-180.02 shall include suspension for a violation of section 53-180 following suspension for a violation of section 53-180.02; ~~and~~

(b) For a third or subsequent suspension for violation of section 53-180 or 53-180.02 occurring within four years after the date of the first suspension, the commission, in its discretion, may order that the licensee be required to suspend sales of alcoholic liquor for a period of time not to exceed fifteen days and that the licensee may not elect to pay a cash penalty. The commission may use the required suspension of sales of alcoholic liquor penalty either alone or in conjunction with suspension periods for which the licensee may elect to pay a cash penalty. For purposes of this subsection, third or subsequent suspension for violation of section 53-180 shall include suspension for a violation of section 53-180.02 following suspension for a violation of section 53-180 and third or subsequent suspension for violation of section 53-180.02 shall include suspension for a violation of section 53-180 following suspension for a violation of section 53-180.02; and

(c) For a first suspension based upon a finding that a licensee or an employee or agent of the licensee has been convicted of possession of a gambling device on a licensee's premises in violation of sections 28-1107 to 28-1111, the commission, in its discretion, may order that the licensee be required to suspend sales of alcoholic liquor for thirty days and that the licensee may not elect to pay a cash penalty. For a second or subsequent suspension for such a violation of sections 28-1107 to 28-1111 occurring within four years after the date of the first suspension, the commission shall order that the license be canceled.

(4) For any licensee which has no violation for a period of four years consecutively, any suspension shall be treated as a new first suspension.

(5) The election provided for in ~~this~~ subsection (2) of this section shall be filed with the commission in writing one week before the suspension is ordered to commence and shall be accompanied by payment in full of the sum required by this section. If such election has not been received by the commission by the close of business one week before the day such suspension is ordered to commence, it shall be conclusively presumed that the licensee has elected to close for the period of the suspension and any election received later shall be absolutely void and the payment made shall be returned to the licensee. The election shall be made on a form prescribed by the commission. All funds received under this section shall be remitted to the State Treasurer for credit to the temporary school fund.".

2. On page 2, line 10, strike "is" and insert "and section 53-1,104, Revised Statutes Supplement, 1999, are".

3. Renumber the remaining section accordingly.

Senator Connealy filed the following amendment to LB 1234:
AM2762

(Amendments to Standing Committee amendments, AM2553)

1. Strike amendment 1 and all amendments thereto and insert the following amendment:

"1. Strike the original sections and insert the following new sections:

'Section 1. It is hereby declared to be the public policy of the state that, in order to safeguard life, health, property, and public welfare of its citizens, the production, sale, and use of motor fuel and the pollution caused by certain components of motor fuel are matters affecting the public interest and that a statewide emphasis on the production and use of motor fuel containing renewable fuel content is necessary for the reduction of pollution and will further serve as an incentive for the agricultural economy. The Legislature especially recognizes that renewable fuel and the development of an additional source of fuel will help meet the energy requirements necessary to safeguard life, health, property, and public welfare of our citizens.

Sec. 2. (1) Each retailer of motor fuel shall offer for sale, at the lowest octane rating sold by the retailer at that location, motor fuel which contains a renewable fuel content equal to or greater than three and one-half percent weight oxygen.

(2) Nothing in this act shall be construed to impair the obligation of any contract as prohibited by Article I, section 16, of the Constitution of Nebraska or to preclude the retailer of motor fuel from offering any fuel without renewable fuel content which is equal to or greater than the lowest octane rating which contains a renewable fuel content of at least three and one-half percent weight oxygen.

(3) For purposes of this section:

(a) Renewable fuel means fuel made from renewable sources such as ethanol produced from corn, sorghum, and biomass, but does not include methyl tertiary-butyl ether (MTBE); and

(b) Retailer of motor fuel has the same meaning as the definition of retailer in section 66-482.

Sec. 3. The Department of Revenue shall monitor and maintain a record of wholesale terminal prices of gasoline offered for sale, sold, or dispensed pursuant to section 2 of this act. On or before December 1, 2001, and each year thereafter, the Department of Revenue shall issue a report to the Legislature regarding its duties pursuant to this section.

Sec. 4. This act becomes operative on October 1, 2000.

Sec. 5. The following section is outright repealed: Section 66-1225, Reissue Revised Statutes of Nebraska.'.".

Senators Schimek, Suttle, Thompson, and Bohlke filed the following amendment to LB 1399:
AM2777

(Amendments to Standing Committee amendments, AM2719)

1. Insert the following new section:

"Sec. 24. The Nebraska Volunteer Services Commission shall submit a program proposal to the Corporation for National Service to obtain funding for educational awards. The awards shall be used by the commission to (1) provide incentives for new college graduates to establish their teaching careers in Nebraska, and (2) provide incentives for experienced Nebraska teachers to pursue graduate degrees. It is the intent of the Legislature that the Department of Health and Human Services shall provide state funding to the Nebraska Volunteer Services Commission to create a program officer position for the Teacher Corps AmeriCorps Education Award Program if the Corporation for National Service Commits to funding such program in Nebraska. State funding provided by the Department of Health and Human Services shall be used by the Nebraska Volunteer Services Commission to create a program officer position to meet the required monitoring and compliance responsibilities of the program.".

2. Renumber the remaining section accordingly.

RESOLUTION

LEGISLATIVE RESOLUTION 319. Introduced by Vrtiska, 1.

WHEREAS, the Nemaha Valley High School Academic Decathlon Team won the 2000 Academic Decathlon State Championship (Small Schools Division) for the second consecutive year; and

WHEREAS, each of the 12 students on the Nemaha Valley High School Academic Decathlon Team won at least one medal in the competition and many won more than one medal; and

WHEREAS, the members of the Nemaha Valley High School Academic Decathlon Team are:

Honors Division: Katie Antholz, Erin Ebeler, Holly Morris, and alternate Mike Costello;

Scholastic Division: Ann Moles, Clayton Harris, April Duncza, and alternates Melinda Kreifels and Emily Bebout; and

Varsity Division: Gabe Scheer, Tyler Harris, and Tyler Niedermeyer; and

WHEREAS, the members of the Nemaha Valley High School Academic Decathlon Team put in many hours of hard work in preparation for the 2000 championship competition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Nemaha Valley High School Academic Decathlon Team, their parents, and their coaches.
2. That a copy of this resolution be sent to Nemaha Valley High School.

Laid over.

WITHDRAW - Cointroducer

Senator Robak withdrew her name as cointroducer to LB 1234.

VISITORS

Visitors to the Chamber were 12 eighth grade students and teachers from Omaha Christian Academy, Omaha; 12 students, teacher, and superintendent from Nemaha Valley School District, Cook; Bill, Deb, Jessica, and Pacia Dickey from Wayne; Jane, Ken, Lee, and Jack Christoffersen from Littleton, Colorado, Alex, Jered, and Sloan Matzke from Seward, and Julie Christoffersen and Sky Stinson from Milford; Virgil, Mary, Sheila, Travis, Cory, Ross, and Connie Preister from Lindsay; 9 members and sponsor of "Youth Monitoring Group," Nebraska Pork Producers; Senator D. Pederson's son, grandsons, and granddaughter, Dave, Matt, Tim, and Lara Pederson, Mindy Guenin, and Ben Fehrman; and 112 fourth grade students and teachers from Fontenelle Elementary School, Omaha.

The Doctor of the Day was Dr. Jay Matzke from Seward.

ADJOURNMENT

At 1:02 p.m., on a motion by Senator Vrtiska, the Legislature adjourned until 9:00 a.m., Monday, March 13, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

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FORTY-SECOND DAY - MARCH 13, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 13, 2000

PRAYER

The prayer was offered by Reverend Robert Rademacher, Lutheran Parish Immanuel of Orum and Emmaus, Kennard, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senator Vrtiska who was excused; and Senators Bohlke, Bromm, Engel, Hartnett, Kiel, Kristensen, Landis, Lynch, Robak, and Schmitt who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-first day was approved.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 936. Placed on General File as amended.
(Standing Committee amendment, AM2736, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1223. Placed on General File as amended.
(Standing Committee amendment, AM2760, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1255. Placed on General File as amended.
Standing Committee amendment to LB 1255:
AM2758

1. On page 4, line 5, before "Any" insert "(1)"; in line 8 strike "The" and insert "Except as provided in subsection (2) of this section, the"; in line 15 after "that" insert "(a)"; and in line 17 after "percent" insert "and (b) the municipality shall not be required to pay the municipal county for fire protection or ambulance services.

(2) The amount paid by a municipality that is within the boundaries of a municipal county but is not merged into the municipal county for law enforcement shall be as follows: (a) If the municipal county did not provide law enforcement services prior to the formation of the municipal county or if the municipality continues its own law enforcement services after formation of the municipal county, the total cost of services budgeted by the municipal county for law enforcement shall be reduced by one-half for purposes of the calculation required in subsection (1) of this section; and (b) if the municipality discontinues providing law enforcement services after the formation of the municipal county (i) the municipal county shall provide a level of service in such municipality that is equal to the level provided in the area or areas of the municipal county that were municipalities prior to the formation of the municipal county and (ii) the municipality shall pay the municipal county for the cost of county services for law enforcement as calculated in subsection (1) of this section, except that for the first five years, the amount shall be no more than the amount budgeted by the municipality for law enforcement services in the last year the municipality provided the services for itself.".

LEGISLATIVE BILL 1330. Placed on General File as amended.
Standing Committee amendment to LB 1330:
AM2759

1. On page 2, line 4, strike "January" and insert "July".

(Signed) William R. Wickersham, Chairperson

SELECT FILE

LEGISLATIVE BILL 1107. The Raikes pending amendment, AM2766, found on page 1017, was renewed.

Senator Wickersham offered the following amendment to the Raikes pending amendment:
FA318
Amend AM2766
Line 2, strike forty seven and insert forty six

Senator Wickersham moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Wickersham requested a roll call vote on his amendment.

Voting in the affirmative, 24:

Baker Bohlke Bromm Byars Connealy
Coordsen Cudaback Dickey Dierks Engel
Hudkins Janssen Jones Kremer Lynch
Matzke Price Raikes Schmitt Schrock
Smith Stuhr Wehrbein Wickersham

Voting in the negative, 18:

Aguilar Beutler Bourne Brown Bruning
Chambers Hilgert Jensen Kiel Pedersen, Dw.
Pederson, D. Preister Quandahl Redfield Schimek
Suttle Thompson Tyson

Present and not voting, 2:

Crosby Robak

Absent and not voting, 1:

Brashear

Excused and not voting, 4:

Hartnett Kristensen Landis Vrtiska

The Wickersham amendment lost with 24 ayes, 18 nays, 2 present and not voting, 1 absent and not voting, and 4 excused and not voting.

The Chair declared the call raised.

PRESIDENT MAURSTAD PRESIDING

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 74, 692, and 1258.

SELECT FILE

LEGISLATIVE BILL 1107. The Raikes pending amendment, AM2766, found on page 1017 and considered on page 1026, was renewed.

The Raikes amendment was adopted with 37 ayes, 2 nays, 7 present and not voting, and 3 excused and not voting.

Senator Beutler offered the following amendment:
AM2797

1. Insert the following new section:

"Sec. 4. The provisions of this legislative bill shall be operational on December 1, 2001, if the State Department of Education has conducted a study of the school systems in the standard cost grouping described in section 79-1007.02 and has recommended to the Legislature by such date, a detailed plan to reduce the total number of school systems in the standard cost grouping to not more than one hundred sixty-three school systems by June 1, 2005. Such plan shall use the configurations that best maximize educational benefits to the students of the state as a whole. The study shall identify to the Legislature the specific systems to be merged or unified and shall recite the specific facts considered in making each of the recommendations. The State Board of Education shall appoint an advisory committee consisting of teachers, administrators, school board members, business leaders, and community representatives to work with the department in conducting the study. Each school district shall provide to the department all information requested by the board in a timely fashion.".

2. Renumber the remaining section accordingly.

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Beutler moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Beutler requested a roll call vote on his amendment.

Voting in the affirmative, 23:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brown	Bruning	Chambers	Crosby	Hartnett
Hilgert	Janssen	Jensen	Kiel	Kristensen
Matzke	Preister	Price	Quandahl	Robak
Schimek	Suttle	Thompson		

Voting in the negative, 17:

Bromm	Byars	Connealy	Dickey	Dierks

Hudkins
Jones
Kremer
Pedersen, Dw.
Pederson, D.
Raikes
Schrock
Smith
Stuhr
Tyson
Wehrbein
Wickersham

Present and not voting, 6:

Brashear
Cudaback
Engel
Lynch
Redfield
Schmitt

Excused and not voting, 3:

Coordsen
Landis
Vrtiska

The Beutler amendment lost with 23 ayes, 17 nays, 6 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 27:

Baker
Bohlke
Bromm
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jones
Kremer
Matzke
Price
Raikes
Redfield
Schmitt
Schrock
Smith
Stuhr
Tyson
Wehrbein
Wickersham

Voting in the negative, 17:

Aguilar
Beutler
Bourne
Brown
Bruning
Chambers
Hilgert
Jensen
Kiel
Kristensen
Pedersen, Dw.
Pederson, D.
Preister
Quandahl
Robak
Suttle
Thompson

Present and not voting, 2:

Lynch
Schimek

Excused and not voting, 3:

Brashear
Landis
Vrtiska

Advanced to E & R for engrossment with 27 ayes, 17 nays, 2 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1107A. Advanced to E & R for engrossment.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 13, 2000, at 10:15 a.m., were the following: LBs 74, 692, and 1258e.

(Signed) Diana Bridges
Clerk of the Legislature's Office

AMENDMENT - Print in Journal

Senator Jones filed the following amendment to LB 1234:
AM2765

(Amendments to Standing Committee amendments, AM2553)

1. On page 1, line 12, strike "or (b)" and insert ", (b) fuel containing eighty-seven or less octane, or (c)".

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 1115. Placed on General File as amended.
(Standing Committee amendment, AM2715, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Jim Jensen, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 320. Introduced by Suttle, 10.

WHEREAS, the Legislature has commissioned the Select Committee on Gender and Minority Equity to monitor progress of the University of Nebraska's compliance with requirements in law to achieve goals in employing women and minority faculty members; and

WHEREAS, the University has submitted its report entitled "Progress Report on Increasing Minority and Women Faculty" on December 17, 1999; and

WHEREAS, the University failed to meet its yearly benchmark by 1 FTE in 1999; and

WHEREAS, state law requires the University of Nebraska system to be among the top fifty percent of the Board of Regents' peer institutions in the employment of women and minority faculty members by August 1, 2002; and

WHEREAS, the University administration has indicated that the August 1, 2002, deadline will be difficult to meet; and

WHEREAS, the Legislature remains committed to the requirements it has set forth in law for the University in meeting the yearly benchmarks and the

August 1, 2002, deadline.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature insists that the University meet the benchmarks and the August 1, 2002, deadline or suffer the consequences provided by law.

2. That the Legislature reaffirms the goals established by law and requires the University to exercise diligence to reach such goals.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 320 was referred to the Reference Committee.

VISITORS

Visitors to the Chamber were Darlene Rademacher from Kennard; 47 fourth grade students and teachers from Lincoln Christian School, Lincoln; and 25 members of the Board of Directors of the Nebraska Pork Producers Association.

RECESS

At 11:47 a.m., on a motion by Speaker Kristensen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senator Vrtiska who was excused; and Senators Bohlke, Bromm, Brown, Coordsen, Price, Robak, and Schmitt who were excused until they arrive.

AMENDMENTS - Print in Journal

Senator Bohlke filed the following amendment to LB 812:
AM2784

(Amendments to Standing Committee amendments, AM0879)

1. Strike amendment 3 and insert the following new amendments:

"2. On page 7, strike beginning with 'The' in line 26 through the period in line 28.

4. On page 9, after line 2 insert the following new subsection:

'(5) The State Board of Education shall adopt and promulgate rules and regulations to carry out this section.'.".

2. On page 1, line 4, before the period insert "and after the period insert 'The board shall prescribe statewide assessments of writing that rely on writing samples beginning in the spring of 2001 with students in each of three grades selected by the board. For each series of four school fiscal years thereafter, one of the three selected grades shall participate in the statewide writing assessment each year for the first three years, such that each of the three selected grades is assessed once in the first three years of the four-year series and each of the three selected grades will participate in the fourth year. The board shall develop an assessment system for the subject areas of reading, mathematics, science, and social studies and history. The aggregate results of any assessments required by the board pursuant to this section shall be reported by the district on a building basis to the public in that district and to the State Department of Education. The department shall report the aggregate results of any assessments required by the board pursuant to this section on a district or building basis as part of the statewide assessment and reporting system.'; and in line 16 strike 'approved standards' and insert 'subject areas of reading and writing, mathematics, science, and social studies and history'".

3. Renumber the remaining amendments accordingly.

Senator Beutler filed the following amendments to LB 1348:

(1)

AM2788

(Amendments to Standing Committee amendments, AM2527)

1. On page 2, line 5, after "ranching" insert "operation"; in lines 13 and 14 strike "farms and ranches" and insert "farming and ranching operations"; in line 15 strike "farm and ranch" and insert "farming and ranching operations'"; and in line 26 strike "farms and ranches" and insert "farming and ranching operations".

2. On page 3, line 19, after "ranching" insert "operations".

(2)

AM2789

(Amendments to Standing Committee amendments, AM2527)

1. On page 1, line 8; page 2, line 11; page 3, lines 3 and 12; page 4, line 7; page 5, lines 12 and 20; and page 6, line 16; after "agricultural" insert "and rural".

(3)

AM2793

(Amendments to Standing Committee amendments, AM2527)

1. On page 3, line 20, after "support" insert "projects

in the following areas".

2. On page 5, line 8, after "individual" insert "or designed to subsidize an existing farming or ranching operation"; and in lines 22 and 23, strike "activities" and insert "projects".

(4)

AM2791

(Amendments to Standing Committee amendments, AM2527)

1. On page 4, line 26, before the period insert "for no more than three years".

(5)

AM2792

(Amendments to Standing Committee amendments, AM2527)

1. Insert the following new section:

"Sec. 10. The Nebraska Agricultural and Rural Opportunities Act shall terminate on June 30, 2005.".

2. On page 1, line 3, strike "9" and insert "10".

3. Renumber the remaining sections accordingly.

(6)

AM2790

(Amendments to Standing Committee amendments, AM2527)

1. On page 2, line 9; page 3, line 2; page 4, line 27; and page 5, lines 9, 19, and 27; strike "Agriculture" and insert "Economic Development".

(7)

AM2794

(Amendments to Standing Committee amendments, AM2527)

1. On page 2, strike beginning with "and" in line 20 through "communities" in line 21.

(8)

AM2800

(Amendments to Standing Committee amendments, AM2527)

1. Insert the following new section:

"Sec. 11. Section 77-4401, Reissue Revised Statutes of Nebraska, is amended to read:

77-4401. (1) ~~Through December 31, 1996, there~~ There shall be imposed a fee of ~~four dollars~~ one dollar per ton upon the gross tonnage of all sales, use, or other consumption in this state of commercial fertilizers. ~~, and commencing January 1, 1997, through December 31, 2000, there shall be imposed a fee of one dollar per ton upon such gross tonnage.~~ The fee shall be paid by the purchaser of the commercial fertilizer. Any commercial fertilizer subject to the sales and use tax pursuant to the Nebraska Revenue Act of 1967 shall be exempt from the fee imposed by this section. For purposes of this section, the definitions found in section 81-2,162.02 shall apply.

(2) The fee imposed by this section shall be collected by the seller and remitted to the Department of Revenue ~~for credit to the Ethanol Production Incentive Cash Fund through December 31, 1996, and to the Natural Resources Enhancement Fund on and after January 1, 1997,~~ based on the gross tonnage of commercial fertilizers sold during the preceding period. Payment of the fee shall be accompanied by a report setting forth the gross tonnage of commercial fertilizers sold by the seller. The report shall be on a form prescribed by the Department of Revenue and shall include such other information as the Tax Commissioner deems necessary. The provisions of the Nebraska Revenue Act of 1967 applicable to sales and use taxes shall apply to imposition of the fee.

The first one hundred thousand dollars collected each year shall be remitted to the State Treasurer for credit to the Nebraska Agricultural and Rural Opportunities Cash Fund. The balance of the fees collected shall be remitted to the State Treasurer for credit to the Natural Resources Enhancement Fund.

(3) For purposes of this section, gross tonnage shall not include water and other carriers added by the retail seller of the fertilizer and shall not include sales of packages of fertilizers containing ten pounds or less.

(4) Any person who purchased commercial fertilizer prior to May 1, 1993, and paid a fee greater than three dollars per ton shall be entitled to a refund of the amount paid in excess of three dollars per ton.

(5) The Tax Commissioner shall adopt and promulgate rules and regulations to carry out this section.".

2. On page 9, line 5, after "sections" insert "77-4401,".

3. Renumber the remaining sections accordingly.

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 310 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 310.

GENERAL FILE

LEGISLATIVE BILL 1214. Title read. Considered.

The Standing Committee amendment, AM2635, found on page 974, was considered.

Pending.

NOTICE OF COMMITTEE HEARING
Education

Wednesday, March 22, 2000 (cancel) 1:15 p.m.
Coordinating Commission for Postsecondary Education
Megan Massey

(Signed) Ardyce L. Bohlke, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 321. Introduced by Coordsen, 32.

WHEREAS, the Chester-Hubbell-Byron High School boys' basketball team won the Class D-2 Boys' State High School Basketball Championship; and

WHEREAS, Chester-Hubbell-Byron finished the season with 22 wins and 4 losses, culminating in a 50-48 victory for the state championship over Lindsay Holy Family; and

WHEREAS, this was the first state title for the Chester-Hubbell-Byron consolidated school district. Chester High School was a tournament champion in 1953 and Byron High School was a tournament champion in 1958; and

WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Chester-Hubbell-Byron High School boys' basketball team be congratulated for their outstanding effort this season and in winning the Boys' State High School Basketball Tournament.
2. That a copy of this resolution be sent to Coach Jeff Vetter and the Chester-Hubbell-Byron High School boys' basketball team. -

Laid over.

LEGISLATIVE RESOLUTION 322. Introduced by Robak, 22.

WHEREAS, the Columbus Scotus Central Catholic High School girls' volleyball team won the 1999 Girls State Class C-1 High School Volleyball Championship; and

WHEREAS, 1999 was the fifth consecutive victory for the Columbus Scotus Central Catholic High School girls' volleyball team; and

WHEREAS, The Columbus Scotus Central Catholic High School girls' volleyball team completed the 1999 season with a record of 27 wins and 2 losses; and

WHEREAS, the Columbus Scotus Central Catholic High School girls' volleyball team is coached by John Peterson, who has led the Shamrocks to seven state titles in 23 years, and assistant coaches Janet Tooley and Julie Blaser and is managed by Melinda Hanus; and

WHEREAS, the Columbus Scotus Central Catholic High School girls' volleyball team consists of student-athletes Renee Beiermann, Andrea Brezinski, Ceisha Kudron, Melissa Schmidt, Shanna Melliger, Michelle Moser, Amanda Sackett, Heather Van Ackeren, Kristin Blair, Natasha Bender, Amanda Cielocha, Meghan Pile, Kari Mroczek, Lori Beller, and Kendra Schnieders.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Columbus Scotus Central Catholic High School girls' volleyball team student-athletes, student manager, and coaches.
2. That a copy of this resolution be sent to Columbus Scotus Central Catholic High School.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 1214. Senator Chambers offered the following amendment to the Standing Committee amendment:
FA319
Amend AM2635
P. 1, line 2, strike "twenty-five" and insert "five"

Senator Chambers withdrew his amendment.

The Standing Committee amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to E & R for review with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1214A. Title read. Considered.

Advanced to E & R for review with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1215. Title read. Considered.

Advanced to E & R for review with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1216. Title read. Considered.

The Standing Committee amendment, AM2688, found on page 974, was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Senator Dw. Pedersen offered the following amendment:

AM2702

1. Insert the following new section:

"Sec. 28. The State Probation Contractual Services Cash Fund is created. The fund shall consist only of payments received by the state pursuant to contractual agreements with local political subdivisions for probation services provided by the Office of Probation Administration. The fund shall only be used to pay for probation services provided by the Office of Probation Administration to local political subdivisions which enter into contractual agreements with the Office of Probation Administration. The fund shall be administered by the probation administrator. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.".

2. Renumber the remaining sections accordingly.

The Dw. Pedersen amendment was adopted with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to E & R for review with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 414. Placed on Select File as amended.
(E & R amendment, AM7224, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1092. Placed on Select File as amended.
E & R amendment to LB 1092:
AM7225

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. The Legislature finds that:

(1) Increasing markets for small to medium-sized producers can enhance statewide agricultural economic development. Niche marketing through local retailers and restaurants can add value to the state agricultural economy;

(2) Public safety is of tantamount importance to assuring a safe food supply and a positive national opinion of Nebraska's meat producers; and

(3) A pilot program for state meat inspection would help the Department of Agriculture and the Department of Economic Development determine the economic impact of a state meat inspection program in Nebraska.

Sec. 2. It is the intent of the Legislature that beginning June 1, 2002, the Department of Agriculture shall implement a pilot program of state meat inspection at establishments, as defined by section 54-1902, which process meat, poultry, or meat and poultry products for human consumption for entry into intrastate commerce. It is the intent of the Legislature that such program of meat and poultry inspection shall be limited to small-to-medium size establishments as determined by rules and regulations of the department according to killing capacity or weight or volume of product produced under inspection.

Sec. 3. The Department of Agriculture shall employ a program administrator who shall be responsible for developing, implementing, and operating a state meat inspection program. Such administrator shall coordinate activities necessary, including cooperation with the United States Secretary of Agriculture, in order to prepare a state performance plan which meets the federal requirements for certification of a state program of meat and poultry inspection and includes requirements for ante mortem and post mortem inspection, reinspection, sanitation, and program management at least equal to those imposed under the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Poultry Products Inspection Act, 21 U.S.C. 451 et seq. The state may enter into cooperative agreements with the United States Secretary of Agriculture for financial, technical, and other assistance in order to develop and maintain a state program of meat and poultry inspection.

Sec. 4. On or before November 15, 2001, the Department of Agriculture and the Agriculture Committee of the Legislature shall provide a report to the Legislature which shall enumerate and describe any actions necessary to implement a state pilot program of meat and poultry inspection. The report shall recommend any necessary changes to the Nebraska Meat and Poultry Inspection Law, other statutory authority of the department, and any rules and regulations promulgated thereto in order to effect the purposes of section 2 of this act and to meet requirements for ante mortem and post mortem inspection, reinspection, sanitation, and program management requirements at least equal to those imposed under the Federal Meat Inspection Act, 21 U.S.C. 601 et seq., and the Poultry Products Inspection Act, 21 U.S.C. 451 et seq. The report shall discuss anticipated participation in the program, including the types and numbers of establishments where state meat and poultry inspection would be maintained, and shall include a detailed description of anticipated resources required to develop and maintain a program of meat inspection.

Sec. 5. (1) Except as provided in subsection 2 of this section, the state meat inspection pilot program shall terminate on January 1, 2006. At the conclusion of the third year of the pilot program, the Department of Agriculture and the Department of Economic Development shall evaluate the number of establishments which have become state-inspected facilities, the number of animals being processed at such establishments, and the economic impact of plants utilizing the pilot program. The departments shall report the results of the evaluation to the Governor and the Legislature within six months after commencing the evaluation.

(2) If state meat inspection is being maintained at fewer than five establishments on or after August 1, 2004, the state meat inspection pilot program shall be terminated. If the program is to be terminated, inspection may continue at state-inspected establishments for a period of time necessary to enable such establishments to process any remaining inventories, but such period shall not be longer than two weeks.".

LEGISLATIVE BILL 213. Placed on Select File as amended.
(E & R amendment, AM7222, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 628. Placed on Select File as amended.
E & R amendment to LB 628:
AM7223

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 84-712, Reissue Revised Statutes of Nebraska, is amended to read:

84-712. (1) Except as otherwise expressly provided by statute, all citizens of this state, and all other persons interested in the examination of the public records, as defined in section 84-712.01, are hereby fully empowered and authorized to (a) examine the same, and ~~to~~ make memoranda, copies using their own copying or photocopying equipment in accordance with subsection (2) of this section, and abstracts therefrom, all free of charge, during the hours the respective offices may be kept open for the ordinary transaction of business and (b) except if federal copyright law otherwise provides, obtain copies of public records in accordance with subsection (3) of this section during the hours the respective offices may be kept open for the ordinary transaction of business.

(2) Copies made by citizens or other persons using their own copying or photocopying equipment pursuant to subdivision (1)(a) of this section shall be made on the premises of the custodian of the public record or at a location mutually agreed to by the requester and the custodian.

(3)(a) Copies may be obtained pursuant to subdivision (1)(b) of this section only if the custodian has copying equipment reasonably available. Such copies may be obtained in any form designated by the requester in which the public record is maintained or produced, including, but not limited to, printouts, electronic data, discs, tapes, and photocopies.

(b) Except as otherwise provided by statute, the custodian of a public record may charge a fee for providing copies of such public record pursuant to subdivision (1)(b) of this section, which fee shall not exceed the actual cost of making the copies available. For purposes of this subdivision, (i) for photocopies, the actual cost of making the copies available shall not exceed the amount of the reasonably calculated actual cost of the photocopies, (ii) for printouts of computerized data on paper, the actual cost of making the copies available shall include the reasonably calculated actual cost of computer run time and the cost of materials for making the copy, and (iii) for electronic data, the actual cost of making the copies available shall include the reasonably calculated actual cost of the computer run time, any necessary analysis and programming, and the production of the report in the form furnished to the requester. State agencies which provide electronic access to public records through a gateway service shall obtain approval of their proposed reasonable fees for such records pursuant to sections 84-1205.02 and 84-1205.03, if applicable, and the actual cost of making the copies available may include the approved fee for the gateway service.

(c) This section shall not be construed to require a public body or custodian of a public record to produce or generate any public record in a new or different form or format modified from that of the original public record.

(d) If copies requested in accordance with subdivision (1)(b) of this section are estimated by the custodian of such public records to cost more than fifty dollars, the custodian may require the requester to furnish a deposit prior to fulfilling such request.

(4) Upon receipt of a request for access to or copies of a public record, the custodian of such record shall provide to the requester as soon as is practicable and without delay, but not more than three business days after actual receipt of the request, either (a) access to or, if copying equipment is reasonably available, copies of the public record, (b) if there is a legal basis for denial of access or copies, a written denial of the request together with the information specified in section 84-712.04, or (c) if the entire request cannot with reasonable good faith efforts be fulfilled within three business days after actual receipt of the request due to the significant difficulty or the extensiveness of the request, a written explanation, including the earliest practicable date for fulfilling the request, an estimate of the expected cost of any copies, and an opportunity for the requester to modify or prioritize the request.

Sec. 2. Section 84-712.01, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.01. (1) Except when any other statute expressly provides that particular information or records shall not be made public, public records shall include all records and documents, regardless of physical form, of or belonging to this state, any county, city, village, political subdivision, or tax-supported district in this state, or any agency, branch, department, board, bureau, commission, council, subunit, or committee of any of the foregoing. Data which is a public record in its original form shall remain a public record when maintained in computer files.

(2) When a custodian of a public record of a county ~~which has a population of one hundred thousand inhabitants or more as determined by the most recent federal decennial census~~ provides to a member of the public, upon request, a copy of the public record by transmitting it from a modem to an outside modem, a reasonable fee may be charged for such specialized service. Such fee may include a reasonable amount representing a portion of the amortization of the cost of computer equipment, including software, necessarily added in order to provide such specialized service. This subsection shall not be construed to require a governmental entity to acquire computer capability to generate public records in a new or different form when that new form would require additional computer equipment or software not already possessed by the governmental entity.

(3) Sections 84-712 to 84-712.03 shall be liberally construed whenever any state, county, or political subdivision fiscal records, audit, warrant, voucher, invoice, purchase order, requisition, payroll, check, receipt, or other record of receipt, cash, or expenditure involving public funds is involved in order that the citizens of this state shall have the full right to know of and have full access to information on the public finances of the government and the public bodies and entities created to serve them.

Sec. 3. Section 84-712.03, Reissue Revised Statutes of Nebraska, is amended to read:

84-712.03. Any person denied any rights granted by sections 84-712 to 84-712.03 may elect to:

(1) ~~file~~ File for speedy relief by a writ of mandamus in the district court within whose jurisdiction the state, county, or political subdivision officer who has custody of ~~said~~ the public record can be served; or

(2) ~~petition~~ Petition the Attorney General to review the ~~record~~ matter to determine whether ~~it~~ a record may be withheld from public inspection or whether the public body that is custodian of such record has otherwise failed to comply with such sections. This determination shall be made within fifteen calendar days of the submission of the petition. If the Attorney General determines that the record may not be withheld or that the public body is otherwise not in compliance, the public body shall be ordered to disclose the record immediately or otherwise comply. If the public body continues to withhold the record or remain in noncompliance, the person seeking disclosure or compliance may (a) bring suit in the trial court of general jurisdiction or (b) demand in writing that the Attorney General bring suit in the name of the state in the trial court of general jurisdiction for the same purpose. If

such demand is made, the Attorney General shall bring suit within fifteen calendar days of its receipt. The requester shall have an absolute right to intervene as a full party in the suit at any time.

In any suit filed under this section, the court has jurisdiction to enjoin the public body from withholding records, to order the disclosure, and to grant such other equitable relief as may be proper. The court shall determine the matter de novo and the burden is on the public body to sustain its action. The court may view the records in controversy in camera before reaching a decision, and in the discretion of the court other persons, including the requester, counsel, and necessary expert witnesses may be permitted to view the records, subject to necessary protective orders.

Proceedings arising under this section, except as to the cases the court considers of greater importance, shall take precedence on the docket over all other cases and shall be assigned for hearing, trial, or argument at the earliest practicable date and expedited in every way.

Sec. 4. Original sections 84-712, 84-712.01, and 84-712.03, Reissue Revised Statutes of Nebraska, are repealed.".

2. On page 1, line 1, strike "and" and insert a comma; and in line 2 after the comma insert "and 84-712.03," and after the semicolon insert "to change provisions relating to public records;".

LEGISLATIVE BILL 833. Placed on Select File as amended.
E & R amendment to LB 833:
AM7226

1. On page 1, strike beginning with "adopt" in line 1 through line 2 and insert "amend sections 54-2607 to 54-2609 and 54-2617 to 54-2619, Revised Statutes Supplement, 1999; to change provisions relating to the Competitive Livestock Markets Act; and to repeal the original sections.".

LEGISLATIVE BILL 929. Placed on Select File as amended.
E & R amendment to LB 929:
AM7229

1. In the Landis amendment, AM2477, on page 42, line 4, strike the second comma and show as stricken.

2. On page 1, strike beginning with "adopt" in line 1 through line 2 and insert "amend section 33-101, Reissue Revised Statutes of Nebraska, and sections 1-105, 9-102, 9-104, 9-210, 9-311, 9-317, 9-323, 9-331, 9-334, 9-336, 9-406, 9-407, 9-408, 9-409, 9-504, 9-509, 9-513, 9-608, 9-613, 9-615, 9-625, 9-702, 9-705, 9-707, 9-708, and 9-709, Uniform Commercial Code; to adopt the Uniform Electronic Transactions Act and the Nebraska Governmental Unit Security Interest Act; to provide fees for searching records as prescribed; to change provisions relating to

secured transactions; to provide safe harbor provisions for certain continuation statements as prescribed; to change provisions relating to financing statements; to provide operative dates; to provide severability; and to repeal the original sections.".

LEGISLATIVE BILL 1352. Placed on Select File as amended.
E & R amendment to LB 1352:
AM7227

1. In the Standing Committee amendment, AM2535, on page 2, line 16 "of" has been struck and "to" inserted.

2. On page 1, lines 1 and 2, strike "68-1725, Reissue Revised Statutes of Nebraska" and insert "68-1708, Revised Statutes Supplement, 1998".

LEGISLATIVE BILL 1253. Placed on Select File as amended.
(E & R amendment, AM7230, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 171. Placed on Select File as amended.
E & R amendment to LB 171:
AM7228

1. In the Standing Committee amendments, AM2103, on page 1, line 13, strike "Telecommunication" and insert "Telecommunications".

2. On page 1, strike beginning with "exempt" in line 2 through line 5 and insert "provide for a refund of sales and use taxes paid by television stations on digital broadcasting machinery and equipment as prescribed; to harmonize provisions; and to repeal the original section.".

LEGISLATIVE BILL 1401A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

NOTICE OF COMMITTEE HEARING
Education

LB 1399 (AM2777)	Wednesday, March 22, 2000 (rehearing)	12:00 p.m.

(Signed) Ardyce L. Bohlke, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1217. Title read. Considered.

The Standing Committee amendment, AM2629, printed separately and referred to on page 975, was considered.

Senators Aguilar, Janssen, and Lynch asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 245. Indefinitely postponed.
LEGISLATIVE BILL 249. Indefinitely postponed.
LEGISLATIVE BILL 400. Indefinitely postponed.
LEGISLATIVE BILL 484. Indefinitely postponed.
LEGISLATIVE BILL 601. Indefinitely postponed.
LEGISLATIVE BILL 648. Indefinitely postponed.
LEGISLATIVE BILL 710. Indefinitely postponed.
LEGISLATIVE BILL 807. Indefinitely postponed.
LEGISLATIVE BILL 836. Indefinitely postponed.
LEGISLATIVE BILL 848. Indefinitely postponed.
LEGISLATIVE BILL 941. Indefinitely postponed.
LEGISLATIVE BILL 943. Indefinitely postponed.
LEGISLATIVE BILL 955. Indefinitely postponed.
LEGISLATIVE BILL 985. Indefinitely postponed.
LEGISLATIVE BILL 987. Indefinitely postponed.
LEGISLATIVE BILL 1014. Indefinitely postponed.
LEGISLATIVE BILL 1015. Indefinitely postponed.
LEGISLATIVE BILL 1017. Indefinitely postponed.
LEGISLATIVE BILL 1044. Indefinitely postponed.
LEGISLATIVE BILL 1045. Indefinitely postponed.
LEGISLATIVE BILL 1046. Indefinitely postponed.
LEGISLATIVE BILL 1047. Indefinitely postponed.
LEGISLATIVE BILL 1049. Indefinitely postponed.
LEGISLATIVE BILL 1072. Indefinitely postponed.
LEGISLATIVE BILL 1074. Indefinitely postponed.
LEGISLATIVE BILL 1105. Indefinitely postponed.
LEGISLATIVE BILL 1117. Indefinitely postponed.
LEGISLATIVE BILL 1136. Indefinitely postponed.
LEGISLATIVE BILL 1137. Indefinitely postponed.
LEGISLATIVE BILL 1149. Indefinitely postponed.
LEGISLATIVE BILL 1155. Indefinitely postponed.
LEGISLATIVE BILL 1168. Indefinitely postponed.
LEGISLATIVE BILL 1254. Indefinitely postponed.
LEGISLATIVE BILL 1263. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Reengrossed

The following bill was correctly reengrossed: LB 438.

Correctly Engrossed

The following bills were correctly engrossed: LBs 155, 921, 930, 944, 960, 1018, 1192, 1243, 1243A, 1317, and 1401.

Enrollment and Review Change to LB 438 (Final Reading copy)

The following changes, required to be reported for publication in the Journal, have been made:
ER9125
1. On page 1, line 5, "to provide responsibility for filings and liability for fees, penalties, and interest;" has been inserted after the semicolon.

Enrollment and Review Change to LB 1018

The following changes, required to be reported for publication in the Journal, have been made:
ER9124
1. In the Kremer amendment, AM2488, on page 5, line 6, "(35)" has been struck and "(36)" inserted.
2. In the E & R amendment, AM7201, on page 16, line 24, an underscored comma has been inserted after "parts".
3. On page 1, lines 2 through 8 have been struck and "sections 60-1401.02, 60-1403.01, 60-1407.03, 60-1417, and 60-1434, Reissue Revised Statutes of Nebraska, and section 60-1406, Revised Statutes Supplement, 1999; to define and redefine terms; to change provisions relating to licenses, franchises, motor vehicle sales, and consumer care or service facilities; to change provisions relating to motor vehicle and trailer dealers; to eliminate provisions relating to special permits for sales at a place other than an established place of business; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to outright repeal section 60-1407.05, Reissue Revised Statutes of Nebraska." inserted.

Enrollment and Review Change to LB 1243

The following changes, required to be reported for publication in the Journal, have been made:
ER9126
1. In the Bohlke amendment, AM2744:
a. Sections 1 to 3 and 5 have been renumbered as sections 2 to 4 and 10,

respectively; and

b. On page 1, line 10, "district" has been struck and "board" inserted; and in line 21 "79-247" has been struck and "79-246" inserted.

2. In the Thompson amendment, AM2455:

a. Amendments 1 and 3 have been incorporated into the E & R amendment, AM7209; and

b. Amendment 2 has been struck.

3. In the E & R amendment, AM7209, section 3 and all amendments thereto have been struck and the following new section inserted:

"Sec. 9. Original sections 79-534 and 79-535, Reissue Revised Statutes of Nebraska, sections 79-215 and 79-1115, Revised Statutes Supplement, 1998, and sections 9-812, 79-1125.01, 79-1142, and 79-1145, Revised Statutes Supplement, 1999, are repealed.".

4. On page 1, the matter beginning with "the" in line 1 through line 5 has been struck and "schools; to amend sections 79-534 and 79-535, Reissue Revised Statutes of Nebraska, sections 79-215 and 79-1115, Revised Statutes Supplement, 1998, and sections 9-812, 79-1125.01, 79-1142, and 79-1145, Revised Statutes Supplement, 1999; to change admission and tuition provisions; to change provisions relating to special education; to change and eliminate definitions and usage of terms; to change reimbursement; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1123, Reissue Revised Statutes of Nebraska." inserted.

(Signed) Adrian M. Smith, Chairperson

MESSAGES FROM THE GOVERNOR

March 10, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Please withdraw Megan Massey's name from the confirmation for the Coordinating Commission for Post-Secondary Education on Wednesday, March 22, 2000 at the Education Committee hearing due to her resignation.

Thank you.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

March 13, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Coordinating Commission for Post-Secondary Education:

APPOINTEE:
Dr. Helen Morten, 9115 Pioneers Ct, Lincoln NE 68520

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following appointment:

Reckewey, Nancy - Nebraska Accountability and Disclosure Commission -- Government, Military and Veterans Affairs

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

AMENDMENTS - Print in Journal

Senator Thompson filed the following amendment to LB 1217:
AM2778

1. Insert the following new section:

"Sec. 71. Laws 1999, LB 878, section 56, is amended to read:

Sec. 56. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. ~~931~~ - ~~Juvenile Correctional Facilities Improvements~~ 940 - Multipurpose Building - Youth Rehabilitation and Treatment Center - Geneva

FY1999-00 FY2000-01 FUTURE

~~STATE BUILDING FUND~~	~~-0-~~	~~2,200,000~~	~~-0-~~
STATE BUILDING FUND	-0-	2,200,000	970,848
~~PROGRAM TOTAL~~	~~-0-~~	~~2,200,000~~	~~-0-~~
PROGRAM TOTAL	-0-	2,200,000	970,848

~~The Department of Administrative Services is authorized to replace and renovate existing facilities at the Youth Rehabilitation and Treatment Center - Geneva and the Youth Rehabilitation and Treatment Center - Kearney.~~

The Department of Health and Human Services is hereby authorized to construct a multipurpose building to house a ten-bed unit of Level 5 housing, a ten-bed unit of orientation housing, a dental/medical clinic, an infirmary, and counseling/general purpose meeting space at the Youth Rehabilitation and Treatment Center - Geneva. The purpose of the multipurpose building is to relieve the overcrowded conditions on the campus and provide more adequate space for specialized services.

There is included in the State Building Fund appropriation to this program $2,200,000 for FY2000-01 and $970,848 for FY2001-02 to construct a multipurpose building at the Youth Rehabilitation and Treatment Center - Geneva.

It is the intent of the Legislature that all statutory requirements of the state building division of the Department of Administrative Services be met for this project before work begins.".

2. In the Standing Committee amendments, AM2629, on page 18, line 16, after "51," insert "56,".

3. Renumber the remaining sections accordingly.

Senator Chambers filed the following amendment to LB 1217:
AM2819

1. Strike original section 54 and all amendments thereto and insert the following new section:

"Sec. 54. Laws 1999, LB 880, section 91, is amended to read:

Sec. 91. AGENCY NO. 25 -- DEPARTMENT OF HEALTH AND HUMAN SERVICES

Program No. 250 - Juvenile Services Operations

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~15,487,050~~	~~15,953,573~~
GENERAL FUND	15,483,430	15,999,953
CASH FUND	57,026	72,784
FEDERAL FUND est.	669,479	728,366
~~PROGRAM TOTAL~~	~~16,213,555~~	~~16,754,723~~
PROGRAM TOTAL	16,209,935	16,801,103
SALARY LIMIT	6,535,824	6,799,750

The Department of Administrative Services shall monitor the appropriations and expenditures for this program according to the following program classifications:

No. 315 - Office of Juvenile Services

No. 345 - Juvenile Community-Based Services
No. 364 - Juvenile Parole Administration
No. 371 - Youth Rehabilitation and Treatment Center-Geneva
No. 374 - Youth Rehabilitation and Treatment Center-Kearney".

Senator Chambers filed the following amendment to LB 1217:
FA320
P. 14, lines 2 & 3, strike "3,997,000" and insert "2,997,000"

Senator Chambers filed the following amendment to LB 1217:
FA321
P. 10, line 22, strike "176,814" and insert "0"; in line 23, strike "158,466" and insert "0"; and in line 25, strike "233,430" and insert "0".

Senator Baker filed the following amendment to LB 1217:
AM2827
1. On page 5, strike line 21 and insert:
GENERAL FUND 102,659 103,161
and strike line 24 and insert:
PROGRAM TOTAL 124,285 125,289

Senator Bohlke filed the following amendment to LB 1399:
AM2829
(Amendments to Standing Committee amendments, AM2719)
1. On page 2, line 8, after "(11)" insert "Four taxpayers. One taxpayer from each of the school districts represented by a teacher as listed in subdivisions (7) through (10) of this section;
(12)"; in line 10 strike "(12)" and insert "(13)"; in line 11 strike "(13)" and insert "(14)"; in line 15 strike "(14)" and insert "(15)"; and in line 17 strike "(15)" and insert "(16)".

Senator Crosby filed the following amendment to LB 352:
AM2818
1. Insert the following new sections:
"Sec. 18. This act becomes operative on July 1, 2000.
Sec. 21. Since an emergency exists, this act takes effect when passed and approved according to law.".
2. On page 12, strike line 28 and show the old matter as stricken.
3. On page 13, line 3, before "The" insert "The Commission for the Blind and Visually Impaired Cash Fund is created. Any money in the Small Business Enterprises Cash Fund on the operative date of this act shall be transferred to the Commission for the Blind and Visually Impaired Cash Fund.".
4. Renumber the remaining sections accordingly.

VISITORS

Visitors to the Chamber were Tiffany Meyer, Jean and Rebecca Lance from Stanton; 46 members and leader of the Moody Men's Collegiate Choir from Moody Bible Institute, Chicago, Illinois; and Bob Tighe from Homer.

The Doctor of the Day was Dr. Roth from Lincoln.

ADJOURNMENT

At 5:06 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, March 14, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-THIRD DAY - MARCH 14, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

FORTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 14, 2000

PRAYER

The prayer was offered by Pastor Mike Gillett, Salem Evangelical Covenant Church, Oakland, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Brashear, Bromm, Brown, Dierks, Hudkins, Kiel, Landis, Robak, Schmitt, Tyson, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-second day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 957 and 957A.

Enrollment and Review Change to LB 957

The following changes, required to be reported for publication in the Journal, have been made:
ER9127
1. In the Dierks amendment, AM2676, on page 1, line 16, "Nebraska" has been struck.
2. On page 1, the matter beginning with "agriculture" in line 1 through line 3 and all amendments thereto have been struck and "the environment; to amend sections 81-15,167, 81-15,169, 81-15,173, 81-15,174, 81-15,175,

and 81-15,176, Reissue Revised Statutes of Nebraska; to create the Carbon Sequestration Advisory Committee; to provide duties; to create funds; to change provisions of the Nebraska Environmental Trust Act; to harmonize provisions; to repeal the original sections; and to declare an emergency." inserted.

Enrollment and Review Change to LB 957A

The following changes, required to be reported for publication in the Journal, have been made:
ER9128
1. On page 1, line 3, "to state intent;" has been inserted after the semicolon.

(Signed) Adrian M. Smith, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 323. Introduced by Aguilar, 35.

WHEREAS, Grand Island Central Catholic High School won the Class C-1 Boys' State Basketball Tournament; and
WHEREAS, Grand Island Central Catholic defeated Pierce High School for the state title; and
WHEREAS, the Legislature should recognize the academic, athletic, and artistic achievements of the youth of our state.
NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Grand Island Central Catholic High School boys' basketball team be congratulated for its exemplary effort this season and in the tournament.
2. That a copy of this resolution be sent to Coach Bill Gavers and the team.

Laid over.

LEGISLATIVE RESOLUTION 324. Introduced by Crosby, 29; Beutler, 28.

WHEREAS, the Lincoln Pius X Thunderbolts won the Class B Boys' State High School Basketball Tournament with a 77-52 win over the McCook Bison; and
WHEREAS, the state championship capped an impressive 20-3 season for Lincoln Pius X; and
WHEREAS, such a season and the state championship was made possible by the hard work of Coach Ray Forycki and team members Luke Kessler, Nick Rasby, Travis Kirkman, Nick Heiser, Ben Bixenmann, Mike Johnson, Mitch Helman, Andy McCarville, Ryan Wesolowski, Ryan Polak, Brandon McAllister, and Tom Dorcey.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Lincoln Pius X High School boys' basketball team for its effort this season.

2. That a copy of this resolution be sent to Lincoln Pius X High School and Coach Ray Forycki.

Laid over.

LEGISLATIVE RESOLUTION 325. Introduced by Vrtiska, 1.

WHEREAS, the Humboldt/Table Rock-Steinauer High School won the Class C-2 Boys' State High School Basketball Tournament; and

WHEREAS, Humboldt/Table Rock-Steinauer defeated Ponca High School 51-46; and

WHEREAS, a successful 21-4 season and tournament win were due to the efforts of Coach Scot Knudson and assistant coach Terry Borcher and team members Matt Riley, Caleb Herr, Matt Mezger, John Barnett, Dustin McMann, Jed Shupp, Mike Burgert, Ethan Petrashek, Russell Plager, Dustin Bents, Ben Thursby, Matt Schlimme, and Chris Rauner.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. The Legislature congratulates the Humboldt/Table Rock-Steinauer High School.

2. That a copy of this resolution be sent to the Humboldt/Table Rock-Steinauer boys' basketball team and Coach Scot Knudson.

Laid over.

AMENDMENT - Print in Journal

Senator Brashear filed the following amendment to LB 1217:
AM2803

(Amendments to Standing Committee amendments, AM2629)

1. On page 1, line 1, after "13," insert "19,".
2. On page 22, strike beginning with "lines" in line 1 through "and" in line 2.
3. Renumber the remaining sections accordingly.

MOTION - Print in Journal

Senators Brashear and Hilgert filed the following motion to LB 1405:
Place LB 1405 on General File pursuant to Rule 3, Section 19(b).

GENERAL FILE

LEGISLATIVE BILL 414A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 10 present and not

voting, and 10 excused and not voting.

LEGISLATIVE BILL 1348. The Standing Committee amendment, AM2527, found on page 889 and considered on page 971, was renewed.

Senators Price, Schimek, and Janssen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers renewed his pending amendment, FA314, found on page 998, to the Standing Committee amendment.

Senator Chambers asked unanimous consent to replace his pending amendment, FA314, found on page 998, with a substitute amendment. No objections. So ordered.

Senator Chambers withdrew his amendment, FA314, found on page 998.

Senator Chambers offered the following substitute amendment to the Standing Committee amendment:
FA322
Amend AM2527
P. 7, line 27 and on P. 8, line 17, strike "fifty" and insert "twenty-five"

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Chambers amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Senator Beutler renewed his pending amendment, AM2788, found on page 1032, to the Standing Committee amendment.

The Beutler amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Senator Beutler renewed his pending amendment, AM2789, found on page 1032, to the Standing Committee amendment.

The Beutler amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Senator Beutler renewed his pending amendment, AM2793, found on page 1032, to the Standing Committee amendment.

The Beutler amendment was adopted with 26 ayes, 0 nays, 19 present and

not voting, and 4 excused and not voting.

Senator Beutler renewed his pending amendment, AM2791, found on page 1033, to the Standing Committee amendment.

The Beutler amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Senator Beutler renewed his pending amendment, AM2792, found on page 1033, to the Standing Committee amendment.

The Beutler amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Senator Beutler renewed his pending amendment, AM2790, found on page 1033, to the Standing Committee amendment.

Senator Beutler withdrew his amendment.

Senator Beutler renewed his pending amendment, AM2794, found on page 1033, to the Standing Committee amendment.

The Beutler amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

Senator Beutler renewed his pending amendment, AM2800, found on page 1033, to the Standing Committee amendment.

SPEAKER KRISTENSEN PRESIDING

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Beutler withdrew his amendment.

SENATOR CUDABACK PRESIDING

Senators Bromm, Landis, and Kristensen asked unanimous consent to be excused until they return. No objections. So ordered.

The Standing Committee amendment, as amended, was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senators Byars and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 1399. Title read. Considered.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 326. Introduced by Matzke, 47.

WHEREAS, the Paxton High School boys' basketball team won the Class D-1 Boys' State High School Basketball Tournament with a 42-39 win over previously unbeaten Deshler in the championship game; and

WHEREAS, the Paxton Tigers have won their last 17 games in a row and completed their season with an impressive 23-2 record; and

WHEREAS, this is the second D-1 title won by the Paxton Tigers in the past 6 years; and

WHEREAS, the accomplishments, sportsmanship, determination, and dedication of the Paxton boys' basketball team deserves special recognition; and

WHEREAS, such team achievement is made possible not only by individual members' performances and coaching guidance, but also through the support of teachers, administrators, and parents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its congratulations to the Paxton Tigers boys' basketball team and their coaches for their outstanding accomplishment.
2. That a copy of this resolution be sent to the Paxton boys' basketball team and Head Coach Jody Rhodes.

Laid over.

LEGISLATIVE RESOLUTION 327. Introduced by Hartnett, 45.

WHEREAS, the Bellevue West Thunderbirds won the Class A Boys' State High School Basketball Tournament; and

WHEREAS, the Thunderbirds finished the season with 23 wins and 1 loss before winning their first state basketball championship over Omaha Burke, 70-53; and

WHEREAS, the collective athletic abilities, teamwork, accomplishments, and dedication of the coaches and players and the support of the other students, the staff, and players' parents should be commended and are deserving of special recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Bellevue West Thunderbirds boys' basketball team on winning the Class A Boys' State High School

Basketball Tournament.

2. That a copy of this resolution be sent to the Bellevue Board of Education, the Bellevue West High School, and Coach Doug Woodard.

Laid over.

AMENDMENTS - Print in Journal

Senator Bourne filed the following amendment to LB 972:
AM2699

(Amendments to AM2558)

1. On page 1, strike beginning with "ensure" in line 21 through line 23 and insert "result in the hiring of a number of new employees equal to at least one-half of one percent of the labor force in the county or counties in which the Customer Service Unit is located.".

Senators Jensen and Dierks filed the following amendment to LB 1023:
AM2814

(Amendments to E & R amendments, AM7216)

1. On page 7, line 1, before "The" insert "(1)"; in line 2 strike "(1)" and insert "(a)"; in line 4 strike "(2)" and insert "(b)"; and after line 9 insert

"(2) The department shall establish and collect the following fees:

(a) For an initial application for licensure as a veterinarian technician, an amount not less than five dollars nor more than seventy-five dollars;

(b) For annual renewal of licensure as a veterinarian technician, an amount not less than five dollars nor more than forty dollars; and

(c) For a duplicate original license, ten dollars.".

Senator Wickersham filed the following amendment to LB 1003:
AM2806

1. Insert the following new section:

"Sec. 5. Any advertising or promotional materials relating to the Nebraska educational savings plan trust may include references to a public office but shall not refer to an officeholder by name.".

2. Renumber the remaining sections and correct internal references accordingly.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following appointment:

Morten, Dr. Helen - Coordinating Commission for Postsecondary Education

-- Education

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARINGS

Education

Wednesday, March 22, 2000 1:15 p.m.
Coordinating Commission for Postsecondary Education
Dr. Helen Morten

(Signed) Ardyce L. Bohlke, Chairperson

Transportation and Telecommunications

Wednesday, March 22, 2000 1:15 p.m.
Nebraska Motor Vehicle Industry Licensing Board
Kevin Langel
William Cannon
Jerry Haggadone

(Signed) Curt Bromm, Chairperson

VISITORS

Visitors to the Chamber were Bradley and Samuel Gillett from Oakland; 15 students and teacher from Cedar Bluffs High School; 12 sixth grade students and teacher from Petersburg Public School; Amy Warner from Lincoln; and Francis and Rose Rauner from Hebron.

RECESS

At 11:53 a.m., on a motion by Senator Schimek, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke, Bruning, Coordsen, Dierks, Kremer, Landis, Matzke, Price, and Schmitt who were excused until they arrive.

STANDING COMMITTEE REPORT
Government, Military and Veterans Affairs

LEGISLATIVE BILL 1021. Placed on General File as amended.
Standing Committee amendment to LB 1021:
AM2841

1. Strike the original sections and insert the following new sections:

"Section 1. Section 49-1401, Revised Statutes Supplement, 1999, is amended to read:

49-1401. Sections 49-1401 to 49-14,141 and sections 6 and 8 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. Section 49-1423, Reissue Revised Statutes of Nebraska, is amended to read:

49-1423. ~~With the exception of sections 49-1480 to 49-1492, gift as used in sections 49-1401 to 49-14,138~~ Gift shall mean a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is given therefor. Gift shall not include a campaign contribution otherwise reported as required by law, a commercially reasonable loan made in the ordinary course of business, or a gift received from a member of the individual's immediate family or from a relative.

Sec. 3. Section 49-1483, Reissue Revised Statutes of Nebraska, is amended to read:

49-1483. (1) Every registered lobbyist for each of his or her principals, and every principal employing a registered lobbyist, shall file a separate statement for each calendar quarter with the Clerk of the Legislature within fifteen days after the end of each calendar quarter.

Each statement shall show the following:

(a) The total amount received or expended directly or indirectly for the purpose of carrying on lobbying activities, with the following categories of expenses each being separately itemized: (i) Miscellaneous expenses; (ii) entertainment, including expenses for food and drink; (iii) lodging expenses; (iv) travel expenses; ~~and (v) lobbyist fees for lobbyist services~~ (v) lobbyist compensation, except that when a principal retains the services of a person who has only part-time lobbying duties, only the compensation paid which is reasonably attributable to influencing legislative action need be reported; ~~and~~ (vi) lobbyist expense reimbursement; and (vii) admission to a state-owned facility or a state-regulated industry or event;

(b) A detailed statement of any money which is loaned, promised, or paid by a lobbyist, a principal, or anyone acting on behalf of either to an official in the executive or legislative branch or member of such official's staff. The detailed statement shall identify the recipient and the amount and the terms of the loan, promise, or payment; and

(c) The total amount expended for gifts disclosed on the report filed pursuant to section 6 of this act.

(2)(a) The statement is not required to include office expenses.

(b) For purposes of entertainment expenses reported under subdivision (1)(a)(ii) of this section, the statement shall itemize the aggregate amount spent on behalf of all officials in the executive or legislative branch and staff members of such officials.

(c) The lobbyist shall also file any changes or corrections to the information set forth in the registration required pursuant to section 49-1480 so as to reflect the correctness of such information as of the end of each calendar quarter for which such statement is required by this section.

(3) If a lobbyist does not expect to receive lobbying receipts from or does not expect to make lobbying expenditures for a principal, the quarterly statements required by this section as to such principal need not be filed by the lobbyist if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A lobbyist exempt from filing quarterly statements pursuant to this section shall (a) file a statement of activity pursuant to section 49-1488 and (b) resume or commence filing quarterly statements with regard to such principal starting with the quarterly period the lobbyist receives lobbying receipts or makes lobbying expenditures for such principal.

(4) If a principal does not expect to receive lobbying receipts or does not expect to make lobbying expenditures, the quarterly statements required pursuant to this section need not be filed by the principal if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A principal exempt from filing quarterly statements pursuant to this section shall commence or resume filing quarterly statements starting with the quarterly period the principal receives lobbying receipts or makes lobbying expenditures.

(5) For purposes of ~~this section~~ sections 49-1480 to 49-1492, calendar quarter shall mean the first day of January through the thirty-first day of March, the first day of April through the thirtieth day of June, the first day of July through the thirtieth day of September, and the first day of October through the thirty-first day of December.

Sec. 4. Section 49-1489, Reissue Revised Statutes of Nebraska, is amended to read:

49-1489. Each lobbyist shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to substantiate the statements required to be made pursuant to section 49-1483 for three years after the report containing those items is filed. These records shall be made available for inspection upon request by the commission after reasonable notice. ~~Nothing in this section shall require that a receipt for any food and drink expenditure be kept if such expenditure is in an amount of less than twenty-five dollars.~~

Sec. 5. Section 49-1490, Reissue Revised Statutes of Nebraska, is amended to read:

49-1490. (1) No principal, lobbyist, or person acting on behalf of either shall within one calendar month give any gift or gifts with a total value of more than fifty dollars to the following:

(a) An official or employee in the executive branch of state government;

(b) An official or employee in the legislative branch of state government; or

(c) A member of the immediate family of an official in the executive or legislative branch of state government.

(2) No official or employee in the executive or legislative branch of state government shall within one calendar month accept from a principal, lobbyist, or person acting on behalf of either any gift or gifts with a total value of more than fifty dollars.

(3) No member of the immediate family of an official in the executive or legislative branch of state government shall within one calendar month accept from a principal, lobbyist, or person acting on behalf of either any gift or gifts with a total value of more than fifty dollars.

(4) This section shall not apply to gifts referred to in section 8 of this act.

(5) Any person who violates this section shall be guilty of a Class III misdemeanor. ~~(1) A principal, lobbyist, or anyone acting on behalf of either shall not give a gift to any official or member of any official's staff in the executive or legislative branch of state government or any member of an official's immediate family. Any person who knowingly gives a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

~~(2) An official or any other person on his or her behalf in the legislative or executive branch of state government or a member of such official's staff or immediate family shall not solicit or accept a gift in violation of subsection (1) of this section. Any person who knowingly solicits or accepts a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

~~(3) As used in sections 49-1480 to 49-1492, gift shall mean a payment, subscription, advance, forbearance, or honorarium or the rendering or deposit of money, services, or anything of value, the value of which exceeds fifty dollars in any one-month~~

~~period, unless consideration of equal or greater value is received therefor. Gift shall not include:~~

~~(a) A campaign contribution otherwise reported as required by law;~~

~~(b) A commercially reasonable loan made in the ordinary course of business;~~

~~(c) A gift received from a member of the person's immediate family, a relative, or the spouse of any such relative;~~

~~(d) A breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption;~~

~~(e) Admissions to state-regulated industries, facilities, or events; or~~

~~(f) The occasional provision of transportation within the State of Nebraska to an officeholder.~~

Sec. 6. (1) Any principal, lobbyist, or person acting on behalf of either who gives a gift to an official or employee in the executive branch, an official or employee in the legislative branch, or a member of the immediate family of an official in the executive or legislative branch of state government shall report the gift to the commission on a form prescribed by the commission.

(2) The report shall be filed with the Clerk of the Legislature within fifteen days after the end of the calendar quarter in which the gift is given. The report shall include the following:

(a) The name of the person giving the gift and the name of the principal or lobbyist on whose behalf the gift is given;

(b) A description of the gift;

(c) The value of the gift; and

(d) The name and title of the recipient of the gift.

(3) Any person who violates this section shall be guilty of a Class III misdemeanor.

Sec. 7. Section 49-1496, Reissue Revised Statutes of Nebraska, is amended to read:

49-1496. (1) The statement of financial interests filed pursuant to sections 49-1493 to 49-14,104 shall be on a form prescribed by the commission.

(2) Individuals required to file under sections 49-1493 to 49-1495 shall file the following information for themselves:

(a) The name and address of and the nature of association with any business with which the individual was associated and any entity in which a position of trustee was held during the preceding year;

(b) The name, address, and nature of business of a person, including a government, political subdivision, or body corporate, from whom any income in the value of one thousand dollars or more was received during the preceding year and the nature of the services rendered. If income results from employment by, operation of, or participation in a proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person, the person may list the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person as the source and not the patrons, customers, patients, or clients of the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person;

(c) A description, but not the value, of the following, if the fair market value thereof exceeded one thousand dollars: The nature and location of all real property in the state, except the residence of the individual; the depository of checking accounts and savings accounts; the issuer of stocks, bonds, and government securities; and a description of all other property owned or held for the production of income, except property owned or used by a business with which the individual was associated;

(d) The name and address of each creditor to whom the value of one thousand dollars or more was owed or guaranteed by the filer or a member of the filer's immediate family. Accounts payable, debts arising out of retail installment transactions or from loans made by financial institutions in the ordinary course of business, loans from a relative, and land contracts that have been properly recorded with the county clerk or the register of deeds need not be included;

(e) The name, address, and occupation or nature of business of any person from whom a gift in the value of more than ~~one hundred~~ fifty dollars was received, a description of the gift, the monetary value category of the gift, and the circumstances of ~~each~~ the gift. For purposes of this subdivision, the monetary value of gifts shall be categorized as follows: Category (i): $50 - $200; category (ii): $200.01 - $500; category (iii): $500.01 - $1,000; and category (iv): $1,000.01 or more; ~~. The definition of gift is as set forth in section 49-1423;~~ and

(f) Such other information as the person required to file the statement or the commission deems necessary, after notice and hearing, to carry out the purposes of the Nebraska Political Accountability and Disclosure Act.

Sec. 8. Nothing in the Nebraska Political Accountability and Disclosure Act shall prohibit a gift, regardless of value, of food for immediate consumption or of an admission to a state-owned facility or a state-regulated industry or event.

Sec. 9. Original sections 49-1423, 49-1483, 49-1489, 49-1490, and 49-1496, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1999, are repealed.".

(Signed) DiAnna R. Schimek, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 936A. Introduced by Matzke, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 936, Ninety-sixth Legislature, Second Session, 2000.

AMENDMENTS - Print in Journal

Senator Thompson filed the following amendment to LB 1399:
AM2832

(Amendments to Standing Committee amendments, AM2719)

1. Insert the following new section:

"Sec. 24. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.".

2. On page 4, line 12, after "(a)" insert "approved by the State Department of Education, (b)"; and in line 14 after "do" insert a comma and strike "(b)" and insert "(c)".

3. On page 6, line 9, strike the second "and"; and in line 10 after "department" insert ", and (d) if a privately funded college or university, has not opted out of the act pursuant to rules and regulations".

4. On page 7, lines 5 and 17, after "accredited" insert "or approved"; in line 17 strike "and actually teach"; and strike beginning with "Loans" in line 21 through "basis" in line 23 and insert "Eligible students may apply on an annual basis for loans in an amount of not more than two thousand five hundred dollars per year".

5. On page 8, line 3, strike "Revolving" and insert "Cash".

6. On page 9, line 2, after the period insert "If a borrower fails to remain enrolled at an eligible institution or otherwise fails to meet the requirements of an eligible student, repayment of the loan shall commence within six months after such change in eligibility."; and strike beginning with "timely" in line 8 through "state" in line 9 and insert "employed as a teacher in this state within six months of becoming certified".

7. On page 10, line 3, before "Each" insert "(1)"; in line 10 strike "Revolving" and insert "Cash"; in line 12 before "The" insert "(2)"; and after line 15 insert the following new subsection:

"(3) Any report pursuant to this subsection which includes information about borrowers shall exclude confidential information or any other information which specifically identifies a borrower.".

8. Renumber the remaining section accordingly.

Senator Smith filed the following amendment to LB 1399:

AM2840

(Amendments to Standing Committee amendments, AM2719)

1. On page 1, line 9, before "Members" insert "(1)"; in line 12 strike "(1)" and insert "(a)"; in line 14 strike "(2)" and insert "(b)"; in line 16 strike "(3)" and insert "(c)"; in line 18 strike "(4)" and insert "(d)"; in line 19 strike "(5)" and insert "(e)"; in line 20 strike "(6)" and insert "(f)"; in line 22 strike "(7)" and insert "(g)"; and in line 24 strike "(8)" and insert "(h)".

2. On page 1, lines 22 and 24; and page 2, lines 2 and 5, after "teacher" insert ", or former teacher as described in and subject to the limitations of subsection (2) of this section,".

3. On page 2, line 2, strike "(9)" and insert "(i)"; in line 5 strike "(10)" and insert "(j)"; in line 8 strike "(11)" and insert "(k)"; in line 10 strike "(12)" and insert "(l)"; in line 11 strike "(13)" and insert "(m)"; in line 15 strike "(14)" and insert "(n)"; in line 17 strike "(15)" and insert "(o)"; in line 19 before "For" insert "(2)"; in line 20 strike "(7) through (10)" and insert "(1)(g) through (1)(j)"; and in line 21 after "diversity" insert "and up to one-half of such members may be former teachers who left the profession for another career preceding appointment to the task force".

Senator Smith filed the following amendment to LB 1399:

AM2839

(Amendments to Standing Committee amendments, AM2719)

1. On page 2, line 16, strike "and"; and in line 18 after "Office" insert "; and

(16) A former teacher who left the profession for another career preceding appointment to the task force".

GENERAL FILE

LEGISLATIVE BILL 1217. Senator Thompson asked unanimous consent to replace her pending amendment, AM2778, found on page 1047, with a substitute amendment. No objections. So ordered.

Senator Thompson withdrew her amendment, AM2778, found on page 1047.

Senator Thompson offered the following substitute amendment:

AM2852

1. Insert the following new section:

"Sec. 71. Laws 1999, LB 878, section 56, is amended to read:

Sec. 56. AGENCY NO. ~~65~~ 25 -- DEPARTMENT OF ~~ADMINISTRATIVE SERVICES~~ HEALTH AND HUMAN SERVICES

Program No. ~~931~~ - ~~Juvenile Correctional Facilities Improvements~~ 940 - Multipurpose Building - Youth Rehabilitation and

Treatment Center - Geneva

	FY1999-00	FY2000-01	FUTURE
~~STATE BUILDING FUND~~	~~-0-~~	~~2,200,000~~	~~-0-~~
STATE BUILDING FUND	-0-	2,200,000	970,848
~~PROGRAM TOTAL~~	~~-0-~~	~~2,200,000~~	~~-0-~~
PROGRAM TOTAL	-0-	2,200,000	970,848

~~The Department of Administrative Services is authorized to replace and renovate existing facilities at the Youth Rehabilitation and Treatment Center - Geneva and the Youth Rehabilitation and Treatment Center - Kearney.~~

The Department of Health and Human Services is hereby authorized to construct a multipurpose building to house a ten-bed unit of Level 5 housing, a ten-bed unit of orientation housing, a dental/medical clinic, an infirmary, and counseling/general purpose meeting space at the Youth Rehabilitation and Treatment Center - Geneva. The purpose of the multipurpose building is to relieve the overcrowded conditions on the campus and provide more adequate space for specialized services.

There is included in the State Building Fund appropriation to this program $2,200,000 for FY2000-01 and $970,848 for FY2001-02 to construct a multipurpose building at the Youth Rehabilitation and Treatment Center - Geneva.

It is the intent of the Legislature that all statutory requirements of the state building division of the Department of Administrative Services be met for this project before work begins.".

2. In the Standing Committee amendments, AM2629, on page 18, line 16, after "51," insert "56,".

3. Renumber the remaining sections accordingly.

The Thompson amendment was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Pending.

STANDING COMMITTEE REPORTS
Revenue

LEGISLATIVE BILL 772. Indefinitely postponed.
LEGISLATIVE BILL 1100. Indefinitely postponed.
LEGISLATIVE BILL 1270. Indefinitely postponed.
LEGISLATIVE BILL 1276. Indefinitely postponed.
LEGISLATIVE BILL 1303. Indefinitely postponed.
LEGISLATIVE BILL 1340. Indefinitely postponed.
LEGISLATIVE BILL 1353. Indefinitely postponed.
LEGISLATIVE BILL 1358. Indefinitely postponed.
LEGISLATIVE BILL 1398. Indefinitely postponed.
LEGISLATIVE BILL 1411. Indefinitely postponed.
LEGISLATIVE BILL 1412. Indefinitely postponed.

LEGISLATIVE BILL 1414. Indefinitely postponed.
LEGISLATIVE BILL 1418. Indefinitely postponed.
LEGISLATIVE BILL 1428. Indefinitely postponed.
LEGISLATIVE BILL 1429. Indefinitely postponed.

LEGISLATIVE RESOLUTION 293CA. Indefinitely postponed.

(Signed) William R. Wickersham, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1214. Placed on Select File as amended.
E & R amendment to LB 1214:
AM7231

1. On page 1, strike beginning with "to" in line 3 through the semicolon in line 5 and insert "to change provisions relating to transfers of funds and the Relief to Property Taxpayers Act;".

LEGISLATIVE BILL 1214A. Placed on Select File.
LEGISLATIVE BILL 1215. Placed on Select File.

LEGISLATIVE BILL 1216. Placed on Select File as amended.
E & R amendment to LB 1216:
AM7232

1. On page 1, line 1, strike "funds" and insert "government"; in line 8 strike "a fund" and insert "funds"; and in line 11 after the semicolon insert "to change and eliminate powers and duties of the Department of Administrative Services and State Treasurer;".
2. On page 29, line 5, strike "(i)", show as stricken, and insert "(a)"; in line 9 strike "(ii)", show as stricken, and insert "(b)"; in line 11 strike "(iii)", show as stricken, and insert "(c)"; in line 13 strike "(iv)" and insert "(d)"; in line 14 strike "(v)" and insert "(e)"; in line 17 strike "(vi)" and insert "(f)"; and in line 20 strike "(vii)" and insert "(g)".

LEGISLATIVE BILL 414A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1217. Senator Chambers renewed his pending amendment, AM2819, found on page 1048.

Senator Beutler asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Schrock asked unanimous consent to be excused. No objections. So ordered.

Senator Connealy asked unanimous consent to be excused until he returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bill was correctly engrossed: LB 1135.

Enrollment and Review Change to LB 1135

The following changes, required to be reported for publication in the Journal, have been made:
ER9129

1. In the Brown amendment, AM2585, on page 9, line 7, "5" was struck and "4" inserted.

2. In the E & R amendment, AM7206:

a. On page 4, line 11, "or her" was inserted after "him"; and

b. On page 29, line 13, "43-2505, 43-2620," was inserted after the first comma and "71-1917," was inserted before "and"; in line 15 "to change a council;" was inserted after the semicolon; in line 19 "43-2506, 43-2611 to 43-2614," was inserted after the first comma; in line 22 "and" was struck; and in line 24 ", and sections 43-2610 and 43-2615, Revised Statutes Supplement, 1999" was inserted after "1998".

(Signed) Adrian M. Smith, Chairperson

AMENDMENTS - Print in Journal

Senator Coordsen filed the following amendment to LB 968:
AM2834

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new section:

"Sec. 57. All transactions of real property for which the statement required in section 76-214 is filed shall be available for development of a sales file for analysis of level of value and quality of assessment for purposes of section 77-5027 and for use by assessing officials in establishing assessed valuations. All transactions for consideration of more than one hundred dollars or upon which more than one dollar and seventy-five cents in documentary stamp taxes are paid shall be considered sales. All sales shall be deemed to be arm's length transactions unless determined to be otherwise. The Department of Property Assessment and Taxation shall not overturn a determination made by a county assessor regarding the qualification of a sale unless the department reviews the sale and determines through the review that the determination made by the county assessor is incorrect.".

2. Correct the operative date section so that the section added by this amendment becomes operative on its effective date with the emergency clause.

3. Renumber the remaining sections accordingly.

Senator Tyson filed the following amendment to LB 1217:
AM2804

1. Insert the following new section:

"Sec. 27. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 973 - Improvements to Fish Production Facilities

	FY1999-00	FY2000-01
CASH FUND	200,000	-0-
PROGRAM TOTAL	200,000	-0-

There is included in the appropriation to this program for FY1999-00 $200,000 Cash Funds for the acquisition of rivers and streams.

The June 30, 1999, reappropriated Cash Fund balance for reservoir construction is hereby reduced by $200,000.".

2. Renumber the remaining sections accordingly.

Senator Raikes filed the following amendment to LB 715:
(Amendment, AM2801, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

GENERAL FILE

LEGISLATIVE BILL 1217. Senator Chambers moved to bracket until April 12, 2000.

Senators Kiel and Cudaback asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers withdrew his motion to bracket.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers pending amendment, AM2819, found on page 1048 and considered on page 1067, was renewed.

Senator Chambers offered the following amendment to his pending amendment:
FA323
Amend AM2819
P. 1, line 10 strike "~~15,999,953~~" and insert "16,000,053"

Senator Chambers moved for a call of the house. The motion prevailed with 11 ayes, 0 nays, and 38 not voting.

The Chambers amendment lost with 0 ayes, 17 nays, 27 present and not voting, and 5 excused and not voting.

Pending.

The Chair declared the call raised.

AMENDMENT - Print in Journal

Senator Preister filed the following amendment to LB 1234:
AM2854

(Amendments to Standing Committee amendments, AM2553)

1. Strike section 5 and insert the following new sections:

"Section 1. On or after the effective date of this act, a retailer shall not offer for sale in this state any petroleum product that contains more than one percent of methyl tertiary butyl ether (MTBE) by volume. For purposes of this section, retailer has the same definition as in section 66-482.

Sec. 6. Sections 2 to 5 of this act becomes operative on January 1, 2001. The other sections of this act become operative on their effective date.".

2. Renumber the remaining sections and correct internal references accordingly.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 1107 and 1107A.

Enrollment and Review Change to LB 1107

The following changes, required to be reported for publication in the Journal, have been made:
ER9130

1. In the Wickersham amendment, AM2717, on page 1, line 6, an underscored comma has been inserted after "shall".

2. On page 1, lines 2 and 3, "77-3442 and 79-1015.01" has been struck and "77-3442, 79-1015.01, and 79-1031" inserted; and in line 5 "to change a

duty to provide estimates;" has been inserted after the first semicolon.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORT
Revenue

LEGISLATIVE BILL 1124. Placed on General File as amended.
Standing Committee amendment to LB 1124:
AM2845

1. Strike the original sections and insert the following new section:

"Section 1. (1) The Greenbelt Advisory Committee is established to assist and advise the Property Tax Administrator in developing uniform and proportionate special valuation of agricultural real property which is zoned for agricultural use and subject to land use controls provided for in sections 77-1343 to 77-1348. The advisory committee shall provide advice to the Property Tax Administrator and the Legislature on rules and regulations under section 77-1346 and methods and practices of state and local assessing officials for such special valuation. The Property Tax Administrator shall respond to the recommendations of the advisory committee and explain the basis for approval or rejection of recommendations.

(2) The advisory committee shall consist of the following members appointed by the Governor:

(a) An active farmer;

(b) An active rancher;

(c) A real estate appraiser with expertise in the appraisal of agricultural real estate;

(d) A professor of agricultural economics at the University of Nebraska Institute of Agriculture and Natural Resources;

(e) An elected county assessor or a designee of the county assessor; and

(f) A local planning and zoning official.

The members shall serve for terms of four years, except that the Governor shall designate three of the initial members to serve for two-year terms. The members shall select a chairperson from the advisory committee's membership. The advisory committee shall meet at least once annually.

(3) The advisory committee shall develop recommendations on:

(a) When using comparable sales analysis for purposes of establishing the special valuation under sections 77-1343 to 77-1348, how such information may be gathered from other counties and locations within a county;

(b) When using an income capitalization approach for such special valuation, the income and expense information to be used and the appropriate method of gathering such information;

(c) When using the income capitalization approach, the approved methods of determining the capitalization rate, including methods of gathering valid comparable sales for purposes of determining the capitalization rate on comparable agricultural land; and

(d) Any further revisions to sections 77-1343 to 77-1348 as the committee deems important for uniform enforcement of such sections and uniform special valuation of agricultural real property.

(4) Methods and recommendations developed by the advisory committee shall provide for an annually updated analysis based on a three-year average of the information used. The advisory committee may develop recommendations for valuation methods which provide for special valuation of land used for specialized agricultural crop production which is unique or localized to a specific area. The recommendations shall be provided by October 1 each year.

(5) The Property Tax Administrator shall provide administrative staff support and information as requested by the advisory committee so long as provision of staff support and information does not impair the ability of the Property Tax Administrator to carry out other statutory obligations.

(6) Members shall be reimbursed for actual and necessary expenses pursuant to sections 81-1174 to 81-1177.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) William R. Wickersham, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1217. Senator Chambers moved to reconsider the vote on the Chambers amendment, FA323, found on page 1070.

Senator Hartnett asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Lynch asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers withdrew his motion to reconsider.

The Chambers pending amendment, AM2819, found on page 1048 and considered on pages 1067 and 1069, was renewed.

Senator Chambers moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

The Chambers amendment was adopted with 25 ayes, 15 nays, 3 present and

not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Baker renewed his pending amendment, AM2827, found on page 1049.

Senator Bourne asked unanimous consent to be excused. No objections. So ordered.

Senator Baker withdrew his amendment.

Advanced to E & R for review with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 1349. Title read. Considered.

The Standing Committee amendment, AM2618, found on page 975, was considered.

Senators Schmitt and Engel asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment was adopted with 28 ayes, 6 nays, 6 present and not voting, and 9 excused and not voting.

Advanced to E & R for review with 29 ayes, 8 nays, 3 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 1369. Title read. Considered.

Advanced to E & R for review with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

Senator Quandahl asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 1328. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

LEGISLATIVE BILL 1379. Title read. Considered.

Senator Kremer asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for review with 34 ayes, 0 nays, 4 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1379A. Title read. Considered.

Advanced to E & R for review with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1407. Title read. Considered.

The Standing Committee amendment, AM2597, found on page 870, was considered.

Pending.

AMENDMENTS - Print in Journal

Senator Raikes filed the following amendment to LB 925:
AM2822

1. On page 3, line 17, after the third comma insert "accredit, qualify for accreditation,"; in line 19 after "Licensure" insert "and in addition for prekindergarten child care services, accredited by a nationally recognized early childhood education organization,"; in line 23 after "provides" insert "prekindergarten"; and in line 27 after "providing" insert "prekindergarten".

2. On page 4, line 6, after "(3)" insert "Any business firm which provides child care services for only school-age children shall be allowed a credit against the individual income tax, corporate income tax, premium or related retaliatory tax, or franchise tax equal to ten percent of the costs incurred by the business firm in providing child care services for school-age children of employees for each taxable year, up to twenty-five percent of such business firm's total tax liability. Such credit shall only be deducted from the business firm's tax liability for the taxable year in which the expenditures occurred. The credit may not be carried forward to the next taxable year. The credit may be taken by the business firm for not more than three taxable years.
(4)"; and in line 10 strike "(4)" and insert "(5)".

Senator Thompson filed the following amendment to LB 1399:
AM2857

(Amendments to Standing Committee amendments, AM2719)

1. Insert the following new section:

"Sec. 24. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.".

2. On page 4, line 12, after "(a)" insert "approved by the State Department of Education, (b)"; in line 14 after "do" insert a comma and strike "(b)" and insert "(c)"; and in line 20 after "accredited" insert "or approved".

3. On page 6, line 9, strike the second "and"; and in line 10 after "department" insert ", and (d) if a privately funded college or university, has not opted out of the act pursuant to rules and regulations".

4. On page 7, lines 5 and 17, after "accredited" insert "or approved"; in line 17 strike "and actually teach"; and strike beginning with "Loans" in line 21 through "basis" in line 23 and insert "Eligible students may apply on an annual basis for loans in an amount of not more than two thousand five hundred dollars per year".

5. On page 8, line 3, strike "Revolving" and insert "Cash".

6. On page 9, line 2, after the period insert "If a borrower fails to remain enrolled at an eligible institution or otherwise fails to meet the requirements of an eligible student, repayment of the loan shall commence within six months after such change in eligibility."; strike beginning with "timely" in line 8 through "state" in line 9 and insert "employed as a teacher in this state within six months of becoming certified"; and in line 26 strike "becomes" and insert "may be".

7. On page 10, line 2, after "Service" insert "if required by the Internal Revenue Code"; in line 3 before "Each" insert "(1)"; in line 10 strike "Revolving" and insert "Cash"; in line 12 before "The" insert "(2)"; and after line 15 insert the following new subsection:

"(3) Any report pursuant to this subsection which includes information about borrowers shall exclude confidential information or any other information which specifically identifies a borrower.".

8. Renumber the remaining section accordingly.

VISITORS

Visitors to the Chamber were 34 fourth grade students and teachers from Elmwood-Murdock Public School, Elmwood; and 25 high school students, teacher, and principal from Pleasanton.

ADJOURNMENT

At 6:22 p.m., on a motion by Senator Beutler, the Legislature adjourned until 9:00 a.m., Wednesday, March 15, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-FOURTH DAY - MARCH 15, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 15, 2000

PRAYER

The prayer was offered by Pastor Casey Karges, United Methodist Church, Gretna, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Coordsen, Hartnett, Kiel, Kristensen, Landis, Lynch, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-third day was approved.

UNANIMOUS CONSENT - Member Excused

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative resolution:

LB/LR	**Committee**
LR 320	Executive Board

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

GENERAL FILE

LEGISLATIVE BILL 1407. The Standing Committee amendment, AM2597, found on page 870 and considered on page 1074, was renewed.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM2861
(Amendments to Standing Committee amendments, AM2597)
1. On page 1, line 3, strike "may" and insert "shall".

SENATOR CUDABACK PRESIDING

Senators Raikes and Wickersham asked unanimous consent to be excused until they return. No objections. So ordered.

Speaker Kristensen ordered the removal of LB 1407 from the agenda.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1348A. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

STANDING COMMITTEE REPORT
Urban Affairs

LEGISLATIVE BILL 1370. Placed on General File as amended.
Standing Committee amendment to LB 1370:
AM2763
1. Strike original sections 1 and 10 to 13 and insert the following new sections:
"Sec. 3. Any active emergency responder, active rescue squad member, or active volunteer firefighter shall qualify for service award benefit payments pursuant to section 35-1312 or 35-1313 notwithstanding that such active emergency responder, active rescue squad member, or active volunteer firefighter may have qualified through active service in ten years within a consecutive fifteen-year period on two or more different volunteer departments if each volunteer department in which such active years of service were performed was conducting a service award benefit program. Any active emergency responder, active rescue squad member, or active volunteer firefighter qualifying for service award benefit payments through active service in two or more volunteer departments shall receive, at the time service award

benefit payments are made, his or her nonforfeitable interest in the annual accounts of each volunteer department for each year in which he or she was listed on the certification list for a year of service.

Sec. 7. Section 35-1312, Revised Statutes Supplement, 1999, is amended to read:

35-1312. (1) Except as provided in section 35-1313, service award benefits provided under a service award benefit program shall be paid to a participant only upon the date he or she reaches the age of sixty-five or upon July 1 after the first year of service in which such participant was not on the certification list of his or her volunteer department, whichever is later, if the participant has been an active emergency responder, active rescue squad member, or active volunteer firefighter for not less than ten ~~consecutive~~ years of service within a consecutive fifteen-year period.

(2) Upon the completion of ten ~~consecutive~~ years of service within a consecutive fifteen-year period, the participant shall have a nonforfeitable interest in the annual accounts of all years of service in which such participant is listed on the certification list. Such interest is equivalent to a proportionate equal share with all other participants listed on the certification list for a year of service in (a) the principal amount of all contributions deposited into the annual account for such year of service and (b) all income derived therefrom.

Sec. 8. Section 35-1313, Revised Statutes Supplement, 1999, is amended to read:

35-1313. ~~(1)(a) Service award benefits shall be paid to a participant as provided in subsection (1) of section 35-1312 notwithstanding that such participant has not been an active emergency responder, active rescue squad member, or active volunteer firefighter for ten consecutive years of service if such participant has qualified as an active emergency responder, active rescue squad member, or active volunteer firefighter in ten years of service out of eleven consecutive years of service if in the year of service in which such participant did not qualify such failure was due (i) to a period during the year of service in the armed forces of the United States upon active duty or (ii) to an injury or disability incurred by the participant and directly related to the participant's duties or activities as a volunteer member of the volunteer department.~~

~~(b) Upon the completion of ten years of service pursuant to this subsection, the participant shall have a nonforfeitable interest in the annual accounts of all years of service in which such participant is listed on the certification list. Such interest is equivalent to a proportionate equal share with all other participants listed on the certification list for a year of service in (i) the principal amount of all contributions deposited into the annual account for such year of service and (ii) all~~

~~income derived therefrom.~~

~~(2)~~ (1) Service award benefits shall be paid to a participant as provided in subsection (1) of section 35-1312 notwithstanding that such participant had not been an active emergency responder, active rescue squad member, or active volunteer firefighter for ten ~~consecutive~~ years of service ~~if~~ within a fifteen-year period if during such fifteen-year period such participant suffered a permanent disability resulting from an injury incurred by the participant and directly related to the participant's duties or activities as a volunteer member of the volunteer department which disqualified the participant from further service as a volunteer. At the time such disability is confirmed and certified to the governing body of the city, village, or rural or suburban fire protection district conducting the service award benefit program, the participant shall have a nonforfeitable interest in the annual accounts of all years of service in which such participant is listed on the certification list. Such interest is equivalent to a proportionate equal share with all other participants listed on the certification list for a year of service in (a) the principal amount of all contributions deposited into the annual account for such year of service and (b) all income derived therefrom.

~~(3)~~ (2) Service award benefits shall be paid to the beneficiary of a participant notwithstanding that such participant has not been an active emergency responder, active rescue squad member, or active volunteer firefighter for ten ~~consecutive~~ years of service within a consecutive fifteen-year period if such participant dies in the course of his or her active service as a volunteer member of a volunteer department or dies as the result of injuries incurred by the participant directly related to his or her duties or activities as a volunteer member of a volunteer department. At the time of the participant's death, the beneficiary of the participant shall have a nonforfeitable interest in the annual accounts of all years of service in which the participant is listed on the certification list. Such interest is equivalent to a proportionate equal share with all other participants listed on the certification list for a year of service in (a) the principal amount of all contributions deposited into the annual account for such year of service and (b) all income derived therefrom.

~~(4)~~ (3) Service award benefits shall be paid to the beneficiary of a participant upon the death of a participant notwithstanding that such participant had not reached the age of sixty-five if such participant would have been entitled to receive service award benefits at age sixty-five pursuant to subsection (1) of section 35-1312 or subsection (1) ~~or (2)~~ of this section.

Sec. 12. Section 35-1318, Revised Statutes Supplement, 1999, is amended to read:

35-1318. ~~No~~ Except as provided in section 3 of this act, no participant in a service award benefit program shall participate in or receive a service award benefit from more than one service award benefit program. Any person who is a paid member of a fire department or other emergency response organization and who receives retirement benefits in consequence of such employment shall not be eligible to participate in any service award benefit program being conducted by the same city, village, or rural or suburban fire protection district which employs the person or which contracts for emergency response services with the fire department or emergency response organization which employs the person.

Sec. 13. Section 77-2701, Revised Statutes Supplement, 1998, is amended to read:

77-2701. Sections 77-2701 to 77-27,135.01 and section 14 of this act shall be known and may be cited as the Nebraska Revenue Act of 1967.

Sec. 14. (1) There is hereby imposed a sales tax at the rate of five percent upon the gross receipts from the sales of fireworks sold at retail in this state. The tax imposed by this section is in addition to the tax imposed in section 77-2703 and shall be collected and enforced as if imposed pursuant to that section.

(2) For the purpose of more efficiently securing the payment, collection, and accounting for the sales and for the convenience of the retailer in collecting the sales tax, the Tax Commissioner shall adopt and promulgate rules and regulations prescribing schedules of the amounts to be collected from the consumer or user to effectuate the computation and collection of the tax imposed by this section.

(3) The proceeds of the sales tax collected under this section shall be remitted to the State Treasurer for credit to the Nebraska Service Award Benefit Fund.

Sec. 15. Section 77-27,132, Reissue Revised Statutes of Nebraska, is amended to read:

77-27,132. (1) There is hereby created a fund to be designated the Revenue Distribution Fund which shall be set apart and maintained by the Tax Commissioner. Revenue not required to be credited to the General Fund or any other specified fund may be credited to the Revenue Distribution Fund. Credits and refunds of such revenue shall be paid from the Revenue Distribution Fund. The balance of the amount credited, after credits and refunds, shall be allocated as provided by the statutes creating such revenue.

(2) The Tax Commissioner shall pay to a depository bank designated by the State Treasurer all amounts collected under the Nebraska Revenue Act of 1967 except as provided in section 14 of this act. The Tax Commissioner shall present to the State Treasurer bank receipts showing amounts so deposited in the bank, and of the amounts so deposited the State Treasurer shall credit to the Highway Trust Fund all of the proceeds of the sales and use taxes derived from motor vehicles, trailers, and semitrailers. The

balance of the amounts so paid shall be credited to the General Fund.

Sec. 16. Original sections 35-1207 and 77-27,132, Reissue Revised Statutes of Nebraska, section 77-2701, Revised Statutes Supplement, 1998, and sections 35-1301 to 35-1303, 35-1311 to 35-1313, 35-1315, 35-1316, and 35-1318, Revised Statutes Supplement, 1999, are repealed.".

2. On page 3, line 21, strike "section 9" and insert "sections 3 and 11".

3. On page 13, line 1, strike "it" and insert "he or she"; and in line 26 strike "9" and insert "11".

4. Renumber the remaining sections accordingly.

(Signed) D. Paul Hartnett, Chairperson

AMENDMENTS - Print in Journal

Senator Wehrbein filed the following amendment to LB 1092:
AM2802

(Amendments to E & R amendments, AM7225)

1. On page 1, line 15, after "that" insert ", if the report provided under section 4 of this act finds the program feasible,".

2. On page 3, line 7, after the period insert "The report shall include an analysis of whether or not a state meat inspection program is feasible, meaning that there is interest among processors and producers to use the program and the program would provide economic benefit to the state. If the analysis concludes that the state meat inspection program is not feasible, the pilot program shall not be initiated.".

Senator Wehrbein filed the following amendment to LB 1381:
AM2807

1. Insert the following new sections:

"Sec. 12. Section 90-404, Reissue Revised Statutes of Nebraska, is amended to read:

90-404. (1) The Game and Parks Commission may enter into an agreement to accept as a gift from the Nebraska Game and Parks Foundation all of the real estate described as Lot 1 in the northwest quarter of the northwest quarter of section 8, township 8 north, range 14 east, Otoe County, Nebraska, except that part of Lot 1, commencing at the northwest corner of Lot 1, thence east 265 feet, thence south 462 feet, thence west 265 feet to a point on the west line of Lot 1, thence north 462 feet to the place of beginning, also described as the east 678.14 feet of Lot 1, all located in Otoe County, Nebraska, containing 7.1 acres more or less and including all gas, oil, and mineral rights.

(2) The Game and Parks Commission may enter into an agreement to accept as a gift from the United States Government all

of the real estate described as a tract of land situated in the southwest quarter of section 8, township 8 north, range 14 east of the 6th principal meridian, Otoe County, Nebraska, more particularly described as follows: Commencing at the northeast corner of said southwest quarter of section 8; thence west 990.00 feet; thence south to a point that intersects the north right-of-way line of State Highway No. 2, said intersection being the point of beginning; thence easterly along said north right-of-way line of State Highway No. 2, for a distance of 200 feet; thence north 400 feet; thence west 200 feet; thence south to the point of beginning, all located in Otoe County, Nebraska, containing 1.84 acres, more or less, or 80,000 square feet.

(3) In consideration of such ~~conveyance~~ conveyances, the commission agrees that the land shall be designated and utilized as ~~an addition~~ additions to Arbor Lodge State Historical Park.

Sec. 13. Sections 12, 14, and 17 become operative on their effective date. The other sections of this act become operative ninety days after adjournment of this legislative session.

Sec. 14. Original section 90-404, Reissue Revised Statutes of Nebraska, is repealed.

Sec. 17. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 3, line 8, strike "effective date of this act" and insert "operative date of this section".

3. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 1427. Title read. Considered.

The Standing Committee amendment, AM2662, printed separately and referred to on page 935, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1448. Title read. Considered.

The Standing Committee amendment, AM2511, found on page 777, was considered.

Senator Vrtiska offered the following amendment to the Standing Committee amendment:
AM2865

(Amendments to Standing Committee amendments, AM2511)

1. Insert the following new amendment:
"1. On page 2, after line 8 insert 'Claim No. 99-222, against the Attorney General's office, pay to Kent Turnbull, 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund. 3,950.00'.".

2. On page 1, line 6, strike "274,636.77" and insert "274,586.77"; and in line 7 strike "297,836.77" and insert "297,786.77".

3. Renumber the remaining amendments accordingly.

The Vrtiska amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Senator D. Pederson renewed his pending amendment, AM2659, found on page 920.

The D. Pederson amendment was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1399. Considered.

PRESIDENT MAURSTAD PRESIDING

The Standing Committee amendment, AM2719, found on page 987, was considered.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1427A. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1427, Ninety-sixth Legislature, Second Session, 2000.

AMENDMENTS - Print in Journal

Senators Suttle, Jensen, Dierks, Byars, and Thompson filed the following

amendment to LB 1115:
(Amendment, AM2525, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Schmitt filed the following amendment to LB 1234:
AM2572
(Amendments to Standing Committee amendments, AM2553)
1. On page 1, line 11, strike "(a)"; and strike beginning with the second "or" in line 12 through "aircraft" in line 13.

Senator Schmitt filed the following amendment to LB 1234:
AM2573
(Amendments to Standing Committee amendments, AM2553)
1. On page 1, line 12, after "octane" insert "and containing no renewable fuel".

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 311, 312, and 313 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 311, 312, and 313.

GENERAL FILE

LEGISLATIVE BILL 1399. The Standing Committee amendment, AM2719, found on page 987 and considered on page 1084, was renewed.

Senator Bohlke renewed her pending amendment, AM2829, found on page 1049, to the Standing Committee amendment.

The Bohlke amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

Senator Thompson asked unanimous consent to replace her pending amendment, AM2832, found on page 1064, with a substitute amendment. No objections. So ordered.

Senator Thompson withdrew her amendment, AM2832, found on page 1064.

Senator Thompson renewed her substitute pending amendment, AM2857, found on page 1074, to the Standing Committee amendment.

The Thompson amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Senator Smith renewed his pending amendment, AM2840, found on page 1064, to the Standing Committee amendment.

The Smith amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Smith renewed his pending amendment, AM2839, found on page 1065, to the Standing Committee amendment.

The Smith amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Senators Robak and Beutler asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Thompson offered the following amendment to the Standing Committee amendment:
FA327
Amend AM2719
Page 4, line 24 after "dollars" insert "up to a statewide total of one million dollars. If more than one hundred thirty three teachers qualify for the bonus, the bonuses shall be reduced such that each qualified Master Teacher receives the same amount and the statewide total does not exceed one million dollars."

Page 5, line 24 insert:
Up to forty eligible teachers shall receive the first half of a registration award each year.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1092A. Introduced by Robak, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1092, Ninety-sixth Legislature, Second Session, 2000.

SELECT COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 1348. Placed on Select File as amended.
E & R amendment to LB 1348:
AM7233
1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Sections 1 to 10 of this act shall be known and may be cited as the Nebraska Agricultural and Rural Opportunities Act.

Sec. 2. (1) The Legislature finds that there is a serious economic crisis in most of rural Nebraska, particularly in the agricultural and rural sector of the economy.

(2) The Legislature finds that there is a need in rural Nebraska to develop strategies and programs to create genuine economic opportunities that enable people to improve their incomes, avoid poverty, build assets, and develop their capacity to contribute to the betterment of their communities.

(3) The Legislature finds that strong communities enable local residents to be more self-sufficient, which contributes to the overall strength and well-being of Nebraska.

(4) The Legislature finds that there is a need to:

(a) Support self-employment and small-scale entrepreneurship in both agricultural and nonagricultural activities;

(b) Enhance income and opportunities for farming and ranching operations to stem the decline in the number of such operations;

(c) Develop strategies and programs to increase the farming and ranching operations share of the food system profit; and

(d) Build the capacity of farming and ranching operations and small rural businesses to benefit from the development of electronic commerce.

Sec. 3. For purposes of the Nebraska Agricultural and Rural Opportunities Act, farming or ranching operation means the active use, management, and operation of real and personal property for the production of crops or raising of livestock.

Sec. 4. (1) An agricultural and rural opportunities grant program shall be administered by the Department of Agriculture as provided in sections 4 to 8 of this act.

(2) The purposes of the agricultural and rural opportunities grant program are to:

(a) Enhance the income and opportunity for farming and ranching operations in Nebraska and to stem the decline in their numbers;

(b) Increase the farming and ranching operations' share of the food system profit;

(c) Enhance the economic and social viability of rural communities in Nebraska that depend on agricultural production;

(d) Support small enterprise formation in the agricultural sector of Nebraska's rural economy;

(e) Support the development of agricultural communities and economic opportunity through innovative uses of Nebraska's land and water resources, while conserving and strengthening resource quality for current and future generations; and

(f) Enhance opportunities for farming and ranching operations to participate in electronic commerce and new and emerging markets that strengthen rural economic opportunities.

Sec. 5. (1) The Department of Agriculture shall establish a system to provide agricultural and rural opportunities grants of up to seventy-five thousand dollars annually to organizations and entities for the purposes specified in section 4 of this act. Eligible entities for such grants shall include communities, counties, agencies, educational institutions, economic development providers, nonprofit corporations, agricultural cooperatives, agricultural associations, agricultural marketing associations or entities, resource conservation and development areas, and development districts.

(2) Grants provided under the agricultural and rural opportunities grant program shall directly address one or more of the purposes specified in section 4 of this act and shall result in private new enterprise formation or expanded incomes and economic opportunities for existing enterprises. The applications selected for funding shall be those that make the greatest contribution to increasing the number and quality of self-employment opportunities in farming and ranching operations.

(3) Grants may be used to support projects in the following areas:

(a) Research;

(b) Education and training;

(c) Market development;

(d) Business planning assistance, feasibility and market studies, capitalization plans, and technical assistance;

(e) Development of cooperatives;

(f) Community and multi-community initiatives;

(g) Retention and transfer of agricultural and nonagricultural businesses in rural communities;

(h) Community-based farmer-owned or rancher-owned value-added initiatives; and

(i) Other activities that are deemed necessary to fulfill the purposes specified in section 4 of this act.

Sec. 6. (1) To be eligible for an agricultural and rural opportunities grant, an applicant shall:

(a) Document a matching amount in money or in-kind contributions or a combination of both equal to twenty-five percent of the grant funds requested;

(b) Specify measurable goals and expected outcomes for the project for which the grant funds are requested; and

(c) Specify an evaluation and impact assessment process or procedure for the project for which the grant funds are requested.

(2) Grant funds may only be administered by an entity or organization eligible to receive grants under section 5 of this act. A recipient of a grant shall not use the grant funds to

replace other funding for the administrative support of the recipient.

(3) A recipient of a grant under section 5 of this act shall not receive more than one grant in any one calendar year for the same project.

(4) Grants awarded pursuant to this section shall be awarded on a one-year basis but may be renewed on an annual basis for no more than three years. The Department of Agriculture shall develop an annual performance review process and a program for grant renewal of approved projects determined to have continued necessary statewide application and success, given the purposes specified in section 4 of this act.

(5) For purposes of this section, project means any activity designed to promote the purposes specified in section 4 of this act. Project does not mean, and grant funds shall not be used for, any activity primarily designed to contribute to a single business, enterprise, or individual or designed to subsidize an existing farming or ranching operation.

Sec. 7. The Department of Agriculture shall submit an annual report to the Governor and Legislature on or before January 1 listing the recipients and grant amounts made under the agricultural and rural opportunities grant program as provided in sections 4 to 8 of this act in the previous year, the documented and measurable impacts of the grants, and an evaluation of the program's performance based on the measurable goals and expected outcomes of the recipients of the grants. Copies of the program performance evaluation shall be made available through print and electronic media.

Sec. 8. The Department of Agriculture shall adopt and promulgate rules and regulations to carry out the agricultural and rural opportunities grant program. The department shall coordinate projects funded by grants under section 5 of this act with other organizations or institutions working on similar projects in the state.

Sec. 9. The Agricultural and Rural Opportunities Cash Fund is created. The fund shall be used by the Department of Agriculture for grants awarded pursuant to the Nebraska Agricultural and Rural Opportunities Act. Money credited to the fund shall include any monetary gifts, grants, donations, proceeds from contracts for services, and reimbursement of expenses. The department shall seek money from sources such as, but not limited to, federal funds, commodity checkoff funds, private donations, and private grants. All such funds shall be credited to the Agricultural and Rural Opportunities Cash Fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. No funds shall be received or accepted for the Agricultural and Rural Opportunities Cash Fund that are designated for the purpose or the benefit of a single business, enterprise, or individual.

Sec. 10. The Nebraska Agricultural and Rural Opportunities Act shall terminate on June 30, 2005.

Sec. 11. It is the intent of the Legislature to appropriate in each of fiscal years 2001-02 and 2002-03:

(1) One million dollars to fund the agricultural and rural opportunities grant program under the Nebraska Agricultural and Rural Opportunities Act; and

(2) Eight hundred seventy-five thousand dollars to the Microenterprise Partnership Program as specified in the Microenterprise Development Act.

Sec. 12. Section 81-1299, Reissue Revised Statutes of Nebraska, is amended to read:

81-1299. The department shall establish the Microenterprise Partnership Program. In order to implement the program, the department:

(1) Shall provide grants ~~of up to twenty-five thousand dollars~~ to microloan delivery organizations for the purposes specified in the Microenterprise Development Act. ~~If, upon determination during the selection process that an applicant is making a significant contribution to unserved communities and neighborhoods and would enhance the act's purpose of establishing a statewide network of microloan delivery organizations, grants of up to fifty thousand dollars may be provided~~ To the maximum extent possible, the selection process should assure that the distribution of such grants provides equitable access to the act's benefits by all geographic areas of the state;

(2) May engage in contractual relationships with statewide microlending support organizations which shall serve as agents for the department in order to effect the purposes and fulfill the requirements of the act; and

(3) May identify and coordinate other state and federal sources of funds which may be available to the department to enhance the state's ability to facilitate program grants pursuant to the program.

Sec. 13. Section 81-12,102, Reissue Revised Statutes of Nebraska, is amended to read:

81-12,102. The granting of any appropriated funds to a microloan delivery organization must meet the following qualifications:

(1) Granted funds must be matched by nonstate funds equivalent in money or ~~in kind equal to one dollar for each one dollar~~ in-kind contributions or a combination of both equal to twenty-five percent of the grant funds requested. Such matching funds can come from any nonstate source, including private foundations, federal or local government sources, quasi-governmental entities or commercial lending institutions, or any other funds whose source does not include funds appropriated from the Legislature; and

(2) At least fifty percent of microloan funds must be disbursed by the microloan delivery organizations in microloans which do not exceed ten thousand dollars.

Sec. 14. Section 81-12,103, Reissue Revised Statutes of Nebraska, is amended to read:

81-12,103. When engaging in contractual relationships with a statewide microlending support organization the department shall:

(1) Require that appropriated funds to a statewide microlending support organization be matched by nonstate funds equivalent in money or ~~in kind equal to one dollar for each one dollar~~ in-kind contributions or a combination of both equal to twenty-five percent of the grant funds requested. Such matching funds can come from any nonstate source, including private foundations, federal or local government sources, quasi-governmental entities or commercial lending institutions, or any other funds whose source does not include funds appropriated from the Legislature. Such appropriated funds and matched funds shall be determined in the contractual agreement to be subject to the matching requirements required by the Microenterprise Development Act for the purposes of making grants to microloan delivery organizations;

(2) Require the statewide microlending support organization to make and administer grants as specified by the purposes and granting criteria provided by the act; and

(3) Require that no greater than ten percent of the appropriated or contracted funds are used for operating or administering the grant program provided by the act.

Sec. 15. Original sections 81-1299, 81-12,102, and 81-12,103, Reissue Revised Statutes of Nebraska, are repealed.".

2. On page 1, line 4, strike "to state intent" and insert "to provide a termination date; to state intent relating to appropriations".

(Signed) Adrian M. Smith, Chairperson

VISITORS

Visitors to the Chamber were Andrew Carr from Nebraska City; Kylie Brand from Seward, Bryon Schafersman from Hooper, and Sherman Berg; 25 fourth grade students and teacher from Pawnee City Elementary School; and 27 fourth grade students and teacher from St. Mary's School, Omaha.

RECESS

At 12:02 p.m., on a motion by Speaker Kristensen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senators Brown, Dierks, Jensen, Landis, and Robak who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1399. The Thompson pending amendment, FA327, found on page 1086, to the Standing Committee amendment, was renewed.

The Thompson amendment was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Senator Tyson offered the following amendment to the Standing Committee amendment:
FA326
Amend AM2719
Strike Sections 7 to 14 and renumber accordingly

Senator Byars moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 6 nays, and 17 not voting.

Senator Tyson moved for a call of the house. The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Tyson requested a roll call vote on his amendment.

Voting in the affirmative, 10:

Baker Bromm Chambers Jensen Jones
Kremer Kristensen Schmitt Tyson Wehrbein

Voting in the negative, 34:

Aguilar Beutler Bohlke Bourne Brashear
Bruning Byars Connealy Coordsen Cudaback
Dickey Hartnett Hilgert Hudkins Janssen
Kiel Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Redfield Schimek Schrock Smith Stuhr
Suttle Thompson Vrtiska Wickersham

Present and not voting, 4:

Brown Crosby Dierks Engel

Excused and not voting, 1:

Robak

The Tyson amendment lost with 10 ayes, 34 nays, 4 present and not voting, and 1 excused and not voting.

Pending.

The Chair declared the call raised.

AMENDMENTS - Print in Journal

Senator D. Pederson filed the following amendment to LB 1003:
AM2881

(Amendments to Standing Committee amendments, AM2695)

1. On page 5, line 21, after "trust" insert "as provided in section 81-8,239.01".

Senator Suttle filed the following amendment to LB 1115:
AM2875

1. Insert the following new sections:

"Sec. 77. Sections 77 to 80 of this act shall be known and may be cited as the Nebraska Center for Nursing Act.

Sec. 78. The Legislature finds that it is imperative that the State of Nebraska protect its investment and the progress made in its efforts to alleviate the nursing shortage which exists. The Legislature also finds that the Nebraska Center for Nursing will provide the appropriate means to do so. It is the intent of the Legislature to appropriate funds necessary for the center to carry out the Nebraska Center for Nursing Act.

Sec. 79. The Nebraska Center for Nursing is established. The center shall address issues of supply and demand for nurses, including issues of recruitment, retention, and utilization of nurses. The Legislature finds that the center will repay the state's investment by providing an ongoing strategy for the allocation of the state's resources directed towards nursing. The primary goals for the center are:

(1) To develop a strategic statewide plan to alleviate the nursing shortage in Nebraska by:

(a) Establishing and maintaining a data base on nursing supply and demand in Nebraska, including current supply and demand and future projections; and

(b) Selecting priorities from the plan to be addressed;

(2) To convene various groups representative of nurses, other health care providers, business and industry, consumers, legislators, and educators to:

(a) Review and comment on data analysis prepared for the center;

(b) Recommend systemic changes, including strategies for implementation of recommended changes; and

(c) Evaluate and report the results of these efforts to the Legislature and the public; and

(3) To enhance and promote recognition, reward, and renewal activities for nurses by:

(a) Proposing and creating reward, recognition, and renewal activities; and

(b) Promoting media and positive image-building efforts for nursing.

Sec. 80. (1) The Nebraska Center for Nursing Board is created. The board shall be a policy-setting board for the Nebraska Center for Nursing. The board shall be appointed by the Governor as follows:

(a) Ten members, at least three of whom shall be registered nurses, one of whom shall be a licensed practical nurse, one of whom shall be a representative of the hospital industry, and one of whom shall be a representative of the long-term care industry;

(b) One nurse educator recommended by the Board of Regents of the University of Nebraska;

(c) One nurse educator recommended by the Nebraska Community College Association;

(d) One nurse educator recommended by the Nebraska Association of Independent Colleges and Universities; and

(e) Three members recommended by the State Board of Health.

(2) The initial terms of the members of the Nebraska Center for Nursing Board shall be:

(a) Five of the ten members appointed under subdivision (1)(a) shall serve for one year and five shall serve for two years;

(b) The member recommended by the Board of Regents of the University of Nebraska shall serve three years;

(c) The member recommended by the Nebraska Community College Association shall serve two years;

(d) The member recommended by the Nebraska Association of Independent Colleges and Universities shall serve one year; and

(e) The members recommended by the State Board of Health shall serve three years.

The initial appointments shall be made within sixty days after the effective date of this act. After the initial terms expire, the terms of all of the members shall be three years with no member serving more than two consecutive terms.

(3) The board shall have the following powers and duties:

(a) To determine operational policy;

(b) To elect a chairperson and officers to serve two-year terms. The chairperson and officers may not succeed themselves;

(c) To establish committees of the board as needed;

(d) To appoint a multidisciplinary advisory council for input and advice on policy matters;

(e) To implement the major functions of the Nebraska Center for Nursing; and

(f) To seek and accept nonstate funds for carrying out center policy.

(4) The board members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(5) The Department of Health and Human Services Regulation and Licensure shall provide administrative support for the board. The board may contract for additional support not provided by the department.

Sec. 81. The Nebraska Center for Nursing Act terminates on July 1, 2005.".

2. Renumber the remaining sections accordingly.

Senator Kiel filed the following amendment to LB 1363:
AM2856

1. Insert the following new section:

"Sec. 3. The Mexican-Americans Commission Cash Fund is created. The Commission on Mexican-Americans shall use the fund for commission functions described in sections 81-8,262 to 81-8,271 and sections 1 and 2 of this act. Money credited to the fund shall include any monetary gifts, grants, and donations. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.".

NOTICE OF COMMITTEE HEARING
Executive Board

LR 320 Thursday, March 23, 2000 12:00 p.m.

(Signed) George Coordsen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1399. Senator D. Pederson offered the following amendment to the Standing Committee amendment:
FA328
Amend AM2719
On page 2, line 24, after (6) add "Should there be greater control of the educational process and facilities for the schools by the State of Nebraska, if the state provides substantial additional funding for teachers salaries.

Change the existing (6) on line 24 by changing the number to (7).

The D. Pederson amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Senator Bohlke offered the following amendment to the Standing Committee amendment:
FA329
Amend AM2719
1). In the Smith amendment, AM2839, on line 3, after the word "profession" add the words "due to retirement or"

The Bohlke amendment was adopted with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

Senator D. Pederson asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA330
Amend AM2719
P. 4, line 21 strike "seven thousand five hundred" and insert "five thousand"

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 2 nays, and 22 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 28:

Aguilar	Baker	Bourne	Brashear	Bromm
Byars	Chambers	Cudaback	Dickey	Dierks
Hartnett	Hudkins	Janssen	Jensen	Jones
Kremer	Kristensen	Lynch	Quandahl	Raikes
Redfield	Robak	Schmitt	Schrock	Smith
Tyson	Vrtiska	Wehrbein		

Voting in the negative, 19:

Beutler	Bohlke	Bruning	Connealy	Coordsen
Crosby	Engel	Hilgert	Kiel	Landis
Matzke	Pedersen, Dw.	Preister	Price	Schimek
Stuhr	Suttle	Thompson	Wickersham	

Present and not voting, 1:

Brown

Excused and not voting, 1:

Pederson, D.

The Chambers amendment was adopted with 28 ayes, 19 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

The Standing Committee amendment, as amended, was adopted with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to E & R for review with 43 ayes, 1 nay, 4 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1407. Senator Jensen asked unanimous consent to bracket until April 11, 2000.

Senator Chambers objected.

Senator Jensen moved to bracket LB 1407 until April 11, 2000.

Senators Dw. Pedersen and Thompson asked unanimous consent to be excused. No objections. So ordered.

The Jensen motion to bracket prevailed with 25 ayes, 1 nay, 20 present and not voting, and 3 excused and not voting.

Senators Bruning and Landis asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 1213. Title read. Considered.

The Standing Committee amendment, AM2305, found on page 720, was considered.

Senator Bourne asked unanimous consent to be excused until he returns. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

The Standing Committee amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 968. Title read. Considered.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

The Standing Committee amendment, AM2432, printed separately and referred to on page 710, was adopted with 26 ayes, 1 nay, 14 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 28 ayes, 1 nay, 13 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 973. The Standing Committee amendment, AM2218, found on page 522 and considered on page 878, was renewed.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Senator Chambers renewed his pending amendment, AM2647, printed separately and referred to on page 933.

Senator Chambers moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Chambers requested a record vote on his amendment.

Voting in the affirmative, 10:

Dickey
Smith
Dierks
Suttle
Jensen
Tyson
Jones
Vrtiska
Kremer
Wehrbein

Voting in the negative, 18:

Aguilar
Byars
Hudkins
Redfield
Baker
Connealy
Janssen
Stuhr
Bohlke
Coordsen
Kiel
Wickersham
Bourne
Crosby
Lynch
Bromm
Hilgert
Matzke

Present and not voting, 16:

Beutler
Engel
Quandahl
Schrock
Brashear
Hartnett
Raikes
Brown
Kristensen
Robak
Chambers
Preister
Schimek
Cudaback
Price
Schmitt

Excused and not voting, 5:

Bruning Landis Pedersen, Dw. Pederson, D. Thompson

The Chambers amendment lost with 10 ayes, 18 nays, 16 present and not voting, and 5 excused and not voting.

Pending.

STANDING COMMITTEE REPORT
Natural Resources

LEGISLATIVE RESOLUTION 304. Reported to the Legislature for further consideration.

(Signed) Edward J. Schrock, Chairperson

AMENDMENTS - Print in Journal

Senator Lynch filed the following amendment to LB 1115:
AM2723

1. Insert the following new section:
"Sec. 77. The Department of Health and Human Services Finance and Support shall apply to the Secretary of the United States Department of Health and Human Services for approval of a demonstration project, as authorized by section 204 of Public Law 106-170, to extend medicaid for up to one thousand individuals who are workers with potentially severe disabilities. This section becomes operative October 1, 2000.".

2. Renumber the remaining sections accordingly.

Senator Crosby filed the following amendment to LB 352:
AM2866

1. Insert the following new sections:
"Sec. 18. This act becomes operative on July 1, 2000.
Sec. 21. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. On page 12, strike line 28 and show the old matter as stricken.

3. On page 13, line 3, before "The" insert "The Commission for the Blind and Visually Impaired Cash Fund is created. On the operative date of this act, any money in the Small Business Enterprises Cash Fund and any portion of the Department of Health and Human Services Cash Fund or any other cash funds attributable to the Division of Rehabilitation Services for the Visually Impaired within the Department of Health and Human Services shall be transferred to the Commission for the Blind and Visually Impaired Cash Fund. Any custodial funds, gifts, trusts, and federal grants attributable to the Division of Rehabilitation Services for the Visually Impaired within the Department of Health and Human Services shall be transferred and attributable to the

Commission for the Blind and Visually Impaired.".
4. Renumber the remaining sections accordingly.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 352A. Introduced by Crosby, 29.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, sections 92, 99, and 106; to appropriate funds to aid in carrying out the provisions of Legislative Bill 352, Ninety-sixth Legislature, Second Session, 2000; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 968A. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 968, Ninety-sixth Legislature, Second Session, 2000; and to reduce appropriations.

LEGISLATIVE BILL 1223A. Introduced by Wehrbein, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1223, Ninety-sixth Legislature, Second Session, 2000.

RESOLUTION

LEGISLATIVE RESOLUTION 328. Introduced by Kristensen, 37; Brashear, 4.

PURPOSE: To conduct an interim study to examine and seek to determine appropriate standards for attorneys appointed by county, district, and appellate courts of this state to represent indigent persons charged with a crime.

The study may include the review of, but not need to be limited to:

(1) Similar standards implemented in surrounding states;

(2) Definitions of the term "indigent";

(3) Caseload standards, including case-related hours and recommended caseload standards;

(4) A determination of the appropriate number of attorneys per case;

(5) Eligibility or qualification standards, including, but not limited to, bar membership, experience, participation in continuing legal education programs on criminal law and procedure, and membership and activity in professional associations supporting criminal defense practitioners for:

(a) Counsel qualified as lead counsel in capital cases;

(b) Counsel qualified as co-counsel in capital cases;

(c) Counsel qualified to serve as counsel in serious felonies;

(d) Counsel qualified as appellate lead counsel;

(e) Counsel qualified as appellate co-counsel; and
(f) Counsel qualified as postconviction counsel;
(6) Workload standards; and
(7) Procedures for the appointment of counsel and the implementation of suggested standards.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 968:
(Amendment, AM2836, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

UNANIMOUS CONSENT - Add Cointroducer

Senator Tyson asked unanimous consent to have his name added as cointroducer to LB 1167. No objections. So ordered.

VISITORS

The Doctor of the Day was Dr. Tony Dresbach from Lincoln.

ADJOURNMENT

At 6:11 p.m., on a motion by Senator Wehrbein, the Legislature adjourned until 9:00 a.m., Thursday, March 16, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-FIFTH DAY - MARCH 16, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 16, 2000

PRAYER

The prayer was offered by Pastor David Haynes, Kingsway Christian Church, Omaha, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senators Hartnett, Landis, D. Pederson, and Thompson who were excused; and Senators Raikes and Schmitt who were excused until they arrive.

SPEAKER KRISTENSEN PRESIDING

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fourth day was approved.

MOTION - Print in Journal

Senator Chambers filed the following motion to LB 973:
To reconsider the vote on AM2647.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 15, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Bohrer, Bruce - Lincoln; Lincoln Chamber of Commerce

Fisher, Dan - Lincoln; BPO ELKS, USA (Withdrawn 03/13/2000)
Zumwinkle, Mike - Minneapolis, MN; Cargill, Incorporated

REPORTS

The following reports were received by the Legislature:

Revenue, Department of
Employment and Investment Growth Act, Employment Expansion and Investment Incentive Act, and Quality Jobs Act Annual Report

Roads, Department of
State Highway Inventory Report, Supplemental Report for the 1999 State Highway Needs Assessment

ANNOUNCEMENT

The Chair announced today is Senator Brashear and Senator Matzke's birthday.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1217. Placed on Select File as amended.
(E & R amendment, AM7234, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1349. Placed on Select File as amended.
(E & R amendment, AM7235, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1369. Placed on Select File.
LEGISLATIVE BILL 1328. Placed on Select File.
LEGISLATIVE BILL 1379. Placed on Select File.
LEGISLATIVE BILL 1379A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 900 with 36 ayes, 2 nays, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 900. With Emergency.

A BILL FOR AN ACT relating to natural resources; to amend sections 2-1502, 2-1503.01 to 2-1504, 2-1505, 2-1568, 2-1575, 2-1577, 2-1578, 2-1579, 2-1585, 2-1587, 2-1589, 2-1590, 2-1592 to 2-1595, 2-1597, 2-1598, 2-15,100, 2-15,101, 2-15,103, 2-15,105, 2-15,106, 2-15,122, 2-15,123, 2-2626, 2-3208, 2-3210, 2-3211, 2-3212, 2-3240, 2-3257, 2-3276, 2-3277, 2-4215, 16-6,106, 25-1062.01, 25-1064, 25-2159, 25-2160, 31-415, 31-508, 31-509, 31-515, 31-516, 31-1003, 31-1008, 31-1015, 31-1017 to 31-1023, 33-105, 46-106, 46-122, 46-190, 46-192, 46-193, 46-199, 46-1,155, 46-1,157, 46-205, 46-208 to 46-210, 46-212, 46-212.01, 46-213, 46-215 to 46-219, 46-226, 46-226.03, 46-227, 46-229, 46-229.01, 46-229.04, 46-229.05, 46-230, 46-231, 46-233, 46-233.01, 46-234, 46-235, 46-235.02 to 46-238, 46-240.01 to 46-242, 46-250, 46-252, 46-254, 46-256 to 46-258, 46-261, 46-263.02, 46-270, 46-273, 46-277, 46-278, 46-288 to 46-296, 46-2,101, 46-2,105, 46-2,108 to 46-2,115, 46-2,116.01 to 46-2,120, 46-2,122 to 46-2,125, 46-2,128, 46-2,130, 46-302 to 46-305, 46-312, 46-315, 46-514, 46-516, 46-541, 46-583, 46-604, 46-610, 46-613.01, 46-613.02, 46-637 to 46-642, 46-644 to 46-646, 46-648, 46-649, 46-653, 46-654, 46-656.05, 46-656.07, 46-656.12, 46-656.14 to 46-656.16, 46-656.19, 46-656.25, 46-656.28, 46-656.30, 46-656.31, 46-656.33, 46-656.38, 46-656.40, 46-656.50 to 46-656.63, 46-656.65 to 46-656.67, 46-676, 46-678.01, 46-686.01, 46-691, 46-692, 46-701 to 46-704, 46-801 to 46-804, 46-1001, 46-1004, 46-1005, 46-1011, 46-1023, 46-1204.01, 46-1217, 46-1401, 46-1403, 46-1404, 56-101, 66-1105, 81-15,170, 81-2304, 81-2602, 81-3449, 81-3453, and 85-162.03, Reissue Revised Statutes of Nebraska, sections 2-1570, 2-1588, and 2-3202, Revised Statutes Supplement, 1998, and sections 2-1503, 2-1547, 2-1584, 2-1596, 2-3222, 2-3254, 2-4901, 25-1920, 46-602, 46-606, 46-1224, 49-506, 49-617, 54-2404.02, 54-2412, 81-101, and 81-102, Revised Statutes Supplement, 1999; to merge the Department of Water Resources and the Nebraska Natural Resources Commission; to transfer, provide, change, and eliminate powers and duties; to change provisions relating to the appropriation of water; to change provisions relating to a cost-share program; to eliminate a fund, an advisory committee, and obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 2-1504.02, 2-1504.03, 2-1506, 2-1506.01, 2-1507, 2-15,104, 2-15,121, 2-3203.02, and 46-212.02, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar
Brashear
Chambers

Baker
Bromm
Connealy

Beutler
Brown
Coordsen

Bohlke
Bruning
Crosby

Bourne
Byars
Cudaback

Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Lynch	Matzke	Pedersen, Dw.	Preister
Price	Quandahl	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Excused and not voting, 5:

Hartnett	Landis	Pederson, D.	Raikes	Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 900A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 92A, section 1; and Laws 1999, LB 880, sections 120, 121, 167 to 175, and 262; to appropriate funds to aid in carrying out the provisions of Legislative Bill 900, Ninety-sixth Legislature, Second Session, 2000; to change appropriations as prescribed; to provide for transfers; to provide an operative date; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Lynch	Matzke	Pedersen, Dw.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION - Return LB 994 to Select File

Senator Chambers moved to return LB 994 to Select File for the following specific amendment:
FA332
Strike the enacting clause.

Senator Chambers withdrew his motion to return.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 994 with 37 ayes, 2 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 994.

A BILL FOR AN ACT relating to law enforcement; to amend sections 81-1401, 81-1402, 81-1403, 81-1404, 81-1406, 81-1410, 81-1413, 81-1414, 81-1428, and 81-1429, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Law Enforcement Training Center; to state intent; to change and provide powers and duties; to change provisions relating to fees and funds; to provide a termination date; to eliminate law enforcement training provisions for cities and villages; to harmonize provisions; to repeal the original sections; and to outright repeal sections 18-1703 and 18-1704, Reissue Revised Statutes of Nebraska.

Senator Chambers requested a roll call vote.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar
Brashear
Crosby
Hilgert
Kiel
Pedersen, Dw.
Redfield
Smith
Baker
Bruning
Cudaback
Hudkins
Kremer
Preister
Robak
Stuhr
Beutler
Byars
Dickey
Janssen
Kristensen
Price
Schimek
Suttle
Bohlke
Chambers
Dierks
Jensen
Lynch
Quandahl
Schmitt
Tyson
Bourne
Coordsen
Engel
Jones
Matzke
Raikes
Schrock
Vrtiska

Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Bromm	Brown	Connealy

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1125.

A BILL FOR AN ACT relating to banks and banking; to amend sections 8-821 and 8-822, Reissue Revised Statutes of Nebraska; to change provisions relating to personal loans; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Lynch	Matzke	Pedersen, Dw.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1190.

A BILL FOR AN ACT relating to county agricultural societies; to amend section 2-259, Revised Statutes Supplement, 1999; to provide for the acquisition of certain real property; to change provisions relating to an additional tax levy; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Lynch	Matzke	Pedersen, Dw.	Preister
Price	Quandahl	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 1:

Raikes

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 291CA.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 19:

III-19 "The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement.

The ~~,~~ ~~nor~~ ~~shall~~ ~~the~~ compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office, except that~~,~~ when there are members elected or appointed to the Legislature or the judiciary, or officers elected or appointed to a ~~court,~~ board~~,~~ or commission having more than one member, and the terms of ~~one~~ ~~or~~ ~~more~~ such members commence and end at different times~~,~~ the compensation of all members of the Legislature, of the judiciary, or of such ~~court,~~ board~~,~~ or commission may be increased or diminished at the beginning of the full term of any member thereof.

Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system, shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3 of the Constitution of Nebraska.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

> "A constitutional amendment to change the effective date of compensation changes made by the Legislature for the judiciary to allow the changes to take effect for all judges at the beginning of the full term of any judge of any court in the state.
>
> For
> Against".

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Lynch
Matzke Pedersen, Dw. Preister Price Quandahl
Raikes Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Kristensen

Excused and not voting, 4:

Hartnett Landis Pederson, D. Thompson

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 155 with 35 ayes, 2 nays, 8 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 155. With Emergency.

A BILL FOR AN ACT relating to the Class V School Employees Retirement Act; to amend section 79-9,105, Reissue Revised Statutes of Nebraska, and sections 79-978, 79-9,100, 79-9,104, and 79-9,113, Revised Statutes Supplement, 1998; to define a term; to change provisions relating to the monthly formula retirement annuity, qualified domestic relations order payments, disability benefits, and school district contributions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar Baker Bohlke Bourne Brashear
Brown Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Lynch
Pedersen, Dw. Preister Price Quandahl Raikes
Redfield Robak Schimek Schmitt Schrock
Smith Stuhr Suttle Tyson Vrtiska

Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Beutler Bromm Matzke

Excused and not voting, 4:

Hartnett Landis Pederson, D. Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 438.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1447, 49-1453, 49-1463.01, 49-1466, and 49-14,123, Reissue Revised Statutes of Nebraska, and sections 49-1401 and 49-1458, Revised Statutes Supplement, 1999; to provide responsibility for filings and liability for fees, penalties, and interest; to change provisions relating to committee treasurers, dissolution of committees, and late contributions; to require reports of late independent expenditures; to provide for a late filing fee and for the accrual of interest on late filing fees and civil penalties; to provide bonding requirements; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Cudaback
Dickey Dierks Engel Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Lynch Matzke Pedersen, Dw. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 921 with 37 ayes, 2 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 921.

A BILL FOR AN ACT relating to court procedure; to amend sections 11-124, 25-208, 25-525, 25-1142, 25-1273.01, 25-1315.02, 25-1515, 25-1517, 25-1542, 25-1804, 25-2002, 25-2008, 25-21,130, 25-21,167, 25-21,217, 25-21,220, 25-21,230, 25-2728, 25-2733, 25-2804, 27-802, 29-2525, 42-372, 42-372.01, 45-103, and 76-718, Reissue Revised Statutes of Nebraska, sections 25-2001, 29-117, and 29-825, Revised Statutes Supplement, 1998, and sections 25-705, 25-1912, 25-1931, and 25-2729, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to new trials, judgments, statute of limitations, notice, discovery, motions, and appeals; to harmonize provisions; to repeal the original sections; and to outright repeal sections 25-1143, 25-1145, 25-1302, and 25-2003, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Lynch	Matzke	Pedersen, Dw.	Preister	Price
Quandahl	Raikes	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 1:

Kristensen

Excused and not voting, 4:

Hartnett
Landis
Pederson, D.
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1018 with 37 ayes, 3 nays, 5 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1018.

A BILL FOR AN ACT relating to motor vehicle industry licensing; to amend sections 60-1401.02, 60-1403.01, 60-1407.03, 60-1417, and 60-1434, Reissue Revised Statutes of Nebraska, and section 60-1406, Revised Statutes Supplement, 1999; to define and redefine terms; to change provisions relating to licenses, franchises, motor vehicle sales, and consumer care or service facilities; to change provisions relating to motor vehicle and trailer dealers; to eliminate provisions relating to special permits for sales at a place other than an established place of business; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to outright repeal section 60-1407.05, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar
Brashear
Connealy
Dierks
Jensen
Lynch
Quandahl
Schrock
Vrtiska
Baker
Bromm
Coordsen
Engel
Jones
Matzke
Raikes
Smith
Wehrbein
Beutler
Brown
Crosby
Hilgert
Kiel
Pedersen, Dw.
Robak
Stuhr
Wickersham
Bohlke
Bruning
Cudaback
Hudkins
Kremer
Preister
Schimek
Suttle
Bourne
Byars
Dickey
Janssen
Kristensen
Price
Schmitt
Tyson

Voting in the negative, 2:

Chambers
Redfield

Excused and not voting, 4:

Hartnett	Landis	Pederson, D.	Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 900, 900A, 994, 1125, 1190, LR 291CA, LBs 155, and 438.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1192 with 36 ayes, 2 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1192. With Emergency.

A BILL FOR AN ACT relating to retirement; to amend sections 24-709.01, 79-906, 79-911, 79-917, 79-956, 79-963, 81-2014, 81-2016, 81-2021, 84-1301, 84-1305.01, 84-1307, 84-1503, and 84-1512, Reissue Revised Statutes of Nebraska, sections 23-2306, 23-2312, 24-704, 24-707, 79-905, and 79-907, Revised Statutes Supplement, 1998, and sections 23-2301, 24-701, 24-706, 79-902, 79-951, and 79-960, Revised Statutes Supplement, 1999; to change provisions relating to requirements for reporting retirement information; to redefine terms; to provide, change, and eliminate powers and duties of employers and the Public Employees Retirement Board; to harmonize provisions; to repeal the original sections; to outright repeal section 79-961, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Baker	Bohlke	Bourne	Brashear	Bromm
Brown	Bruning	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Lynch
Matzke	Pedersen, Dw.	Preister	Price	Quandahl

Raikes Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Aguilar Beutler

Excused and not voting, 4:

Hartnett Landis Pederson, D. Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

PRESIDENT MAURSTAD PRESIDING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 930 with 37 ayes, 2 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 930.

A BILL FOR AN ACT relating to insurance; to amend sections 44-401, 44-409, 44-1206, 44-2407, 44-2708, 44-2716, and 44-32,134, Reissue Revised Statutes of Nebraska, and section 28-631, Revised Statutes Supplement, 1998; to change provisions relating to insurance fraud, reserves, insurance guaranty associations, and reports; to require coverage for reconstructive surgery as prescribed; to eliminate provisions relating to the Committee on Valuation of Securities; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to outright repeal sections 44-707.01 to 44-707.04, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Cudaback
Dickey Dierks Engel Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer

Kristensen   Lynch   Matzke   Pedersen, Dw.   Preister
Price   Quandahl   Raikes   Redfield   Robak
Schimek   Schmitt   Schrock   Smith   Stuhr
Suttle   Tyson   Vrtiska   Wehrbein   Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett   Landis   Pederson, D.   Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 944. With Emergency.

A BILL FOR AN ACT relating to the Internal Revenue Code; to amend section 49-801.01, Revised Statutes Supplement, 1999; to change provisions relating to references to the code; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar   Baker   Beutler   Bohlke   Bourne
Brashear   Bromm   Brown   Bruning   Byars
Chambers   Connealy   Coordsen   Crosby   Cudaback
Dickey   Dierks   Engel   Hilgert   Hudkins
Janssen   Jensen   Jones   Kiel   Kremer
Kristensen   Lynch   Matzke   Pedersen, Dw.   Preister
Price   Quandahl   Raikes   Redfield   Robak
Schimek   Schmitt   Schrock   Smith   Stuhr
Suttle   Tyson   Vrtiska   Wehrbein   Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett   Landis   Pederson, D.   Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 960.

A BILL FOR AN ACT relating to grain warehouses; to eliminate provisions relating to the weighing of grain and pellets; and to outright repeal sections 88-520 to 88-522, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Lynch
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Hartnett
Landis
Pederson, D.
Thompson

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1317 with 39 ayes, 1 nay, 5 present and not voting, and 4 excused and not voting.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

The following bill was put upon final passage:

LEGISLATIVE BILL 1317. With Emergency.

A BILL FOR AN ACT relating to public records; to amend sections 37-1278, 37-1278.01, 60-106, 60-111.01, 60-308, 60-483, 60-2901, 60-2904, 60-2905, 60-2907, and 60-2910, Reissue Revised Statutes of Nebraska, and sections 60-484, 60-4,144, and 60-4,181, Revised Statutes Supplement, 1999; to change and eliminate provisions relating to disclosure of records regarding motorboats, motor vehicles, and motor vehicle operators; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 60-2913, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Lynch Matzke Pedersen, Dw. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 5:

Brashear Hartnett Landis Pederson, D. Thompson

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senators Hilgert and Vrtiska asked unanimous consent to be excused until they return. No objections. So ordered.

MOTION - Return LB 1135 to Select File

Senator Brown moved to return LB 1135 to Select File for the following specific amendment:
AM2907

(Amendments to Final Reading copy)

1. Strike sections 6 to 8 and insert the following sections:

"Sec. 6. The Early Childhood Interagency Coordinating Council is created. The council shall advise and assist the collaborating agencies in carrying out the provisions of the Early Intervention Act, the Quality Child Care Act, sections 79-1101 to 79-1104, and other early childhood care and education initiatives under state supervision. Membership and activities of the council shall comply with all applicable provisions of federal law.

Members of the council shall be appointed by the Governor and shall include, but not be limited to:

(1) Parents of children who require early intervention services, early childhood special education, and other early childhood care and education services; and

(2) Representatives of school districts, social services, health and medical services, family child care and center-based early childhood care and education programs, agencies providing training to staff of child care programs, resource and referral agencies, mental health services, developmental disabilities services, educational service units, Head Start, higher education, physicians, the Legislature, business persons, and the collaborating agencies.

Terms of the members shall be for three years, and a member shall not serve more than two consecutive three-year terms. Members shall be reimbursed for their actual and necessary expenses, including child care expenses, with funds provided for such purposes through the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104.

Members of the Nebraska Interagency Coordinating Council serving on the effective date of this act shall constitute the Early Childhood Interagency Coordinating Council and shall serve for the remainder of their terms. The Governor shall make additional appointments as required by this section and to fill vacancies as needed. The Governor shall set the initial terms of additional appointees to result in staggered terms for members of the council. The Department of Health and Human Services, the Department of Health and Human Services Regulation and Licensure, and the State Department of Education shall provide and coordinate staff assistance to the council.

Sec. 7. With respect to the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104, the Early Childhood Interagency Coordinating Council shall serve in an advisory capacity to state agencies responsible for early childhood care and education, including care for school-age children, in order to:

(1) Promote the policies set forth in the Early Intervention Act, the Quality Child Care Act, and sections 79-1101 to 79-1104;

(2) Facilitate collaboration with the federally administered Head Start program;

(3) Make recommendations to the Department of Health and Human Services, the Department of Health and Human Services Finance and Support, the Department of Health and Human Services Regulation and Licensure, the State Department of Education, and other state agencies responsible for the regulation or provision of early childhood care and education programs on the needs, priorities, and policies relating to such programs throughout the state;

(4) Make recommendations to the lead agency or agencies which prepare and submit applications for federal funding;

(5) Review new or proposed revisions to rules and

regulations governing the registration or licensing of early childhood care and education programs;

(6) Study and recommend additional resources for early childhood care and education programs; and

(7) Report biennially to the Governor and Legislature on the status of early intervention and early childhood care and education in the state.

Sec. 8. With respect to the Early Intervention Act, the Early Childhood Interagency Coordinating Council and collaborating agencies shall make recommendations to the lead agency or agencies relating to:

(1) The general administration, supervision, and monitoring of programs and activities receiving federal funds under the federal early intervention program to ensure compliance with federal law;

(2) The identification and coordination of all available resources within the state from federal, state, local, and private sources;

(3) The development of procedural safeguards, including procedures for complaints and appeals, to ensure that services coordination is provided to eligible infants or toddlers with disabilities or possible disabilities and their families in a timely manner pending the resolution of any disputes among public agencies or service providers;

(4) The entry into formal interagency agreements that include components necessary to ensure meaningful cooperation and coordination; and

(5) The coordination of interagency rules and regulations pursuant to the Early Intervention Act.".

The Brown motion to return prevailed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 1135. The Brown specific amendment, AM2907, found in this day's Journal, was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to E & R for reengrossment.

LEGISLATIVE BILL 1401A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 213. E & R amendment, AM7222, printed separately and referred to on page 1039, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1352. E & R amendment, AM7227, found on page 1043, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 929. E & R amendment, AM7229, found on page 1042, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1253. E & R amendment, AM7230, printed separately and referred to on page 1043, was adopted.

Advanced to E & R for engrossment.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 314, 315, and 316 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 314, 315, 316, LBs 921, 1018, 1192, 930, 944, 960, and 1317.

SELECT FILE

LEGISLATIVE BILL 1004. Senator Bromm renewed the Bromm et al. pending amendment, AM2740, found on page 1015.

Senators Janssen, Connealy, and Aguilar asked unanimous consent to be excused until they return. No objections. So ordered.

The Bromm et al. amendment was adopted with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Advanced to E & R for engrossment.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1427. Placed on Select File as amended.
E & R amendment to LB 1427:
AM7238

1. In the Standing Committee amendments, AM2662, on page 9, line 4; page 10, line 22; and page 11, line 14, strike "subdivisions" and show as stricken, strike the new matter, and

before "of" insert "subsection (1)".

2. On page 1, line 2, after "sections" insert "71-6050,".

LEGISLATIVE BILL 1448. Placed on Select File as amended.
E & R amendment to LB 1448:
AM7236

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. There are hereby appropriated the following sums of money, or so much thereof as may be required, from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of claims arising out of miscellaneous items of indebtedness owing by the State of Nebraska.

1999-2000 MISCELLANEOUS CLAIMS

DESCRIPTION	DOLLARS
Claim No. 99-222, against the Attorney General's office, pay to Kent Turnbull, 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund.	3,950.00
Claim No. 99-345, against the Department of Revenue, pay to Federal Express Corp., P.O. Box 727, Memphis, TN 38194, out of the General Fund.	40,870.00
Claim No. 99-359, against the Department of Correctional Services, pay to Thomas McAllister, % Murry Shaeffer, P.O. Box 832, Cheyenne, WY 82003, out of the General Fund.	15,327.58
Claim No. 99-377, against the Department of Administrative Services, pay to Datamaxx Applied Technologies, % Curt Owens, 3780-A Peddie Dr., Tallahassee, FL 32303, out of the Communications Cash Fund.	23,200.00
Claim No. 99-389, against the Department of Motor Vehicles, pay to Keith County Attorney, P.O. Box 29, Ogallala, NE 69153, out of the General Fund.	500.00
Claim No. 99-405, against the Department of Health and Human Services, pay to Presbyterian Medical Center, % Parr Recovery, P.O. Box 238, Allston, MA 02134, out of the General Fund.	24,411.61
Claim No. 99-446, against the Attorney General's Office, pay to Donald Tedesco, P.O. Box 131, Sidney, NE 69162, out of the General Fund.	535.00
Claim No. 99-482, against the Department of Revenue, pay to M.G. Waldbaum, 5353 Wayzata Blvd. #500, Minneapolis, MN 55416, out of the General Fund.	96,420.41
Claim No. 99-611, against the Department of Health and Human Services, pay to Walgreens, % CityVest, 306 Reunion Center, Tulsa, OK 74103, out of the	

General Fund.	54,004.62
Claim No. 99-620, against the Department of Health and Human Services, pay to University Medical Center Outpatient, P.O. Box 985070, Omaha, NE 68198, out of the General Fund.	34,317.55
Claim No. 00-211, against the Attorney General's Office, pay to Kent Turnbull, 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund.	4,250.00
Claim No. 00-337, against the Attorney General's Office, pay to Jeff Meyer, 301 N. Jeffers, Suite 101A, North Platte, NE 69101, out of the General Fund	500.00

The claims included in this section shall be paid through program 536 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

GENERAL FUND	275,086.77
CASH FUNDS	23,200.00
TOTAL	298,286.77

Sec. 2. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of tort claims which have been settled by the Attorney General in the district court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
Tort Claim No. 94-295, against the Department of Roads, pay to Luebs, Leininger, Smith, Busick, Johnson, Baack, Placzek & Steele, P.O. Box 790, Grand Island, NE 68802-0709, out of the Roads Operations Cash Fund.	3,558.10
Tort Claim No. 94-295, against the Department of Roads, pay to Nora Zepeda and Diego Gavilanes, Attorney, 3325 Wetmore Ave., Everett, WA 98201, out of the Roads Operations Cash Fund.	106,441.90
Tort Claim No. 94-295, against the Department of Roads, pay to Department of Health and Human Services, P.O. Box 95044, Lincoln, NE 68509-5044, out of the Roads Operations Cash Fund.	12,324.42
Tort Claim No. 94-347, against the Department of Roads, pay to Rex Woollen and Siegfried Brauer, Attorney, 2002 Central Ave., Kearney, NE 68848, out of the Roads Operations Cash Fund.	567,816.05

The claims included in this section shall be paid through Program 591 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

CASH FUNDS	690,140.47

TOTAL	690,140.47

Sec. 3. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of indemnification claims which have been settled by the Attorney General in the district court or in which court judgments have been entered and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
Indemnification Claim No. 354(96), against the Department of Health and Human Services, for attorney's fees associated with above-referenced case, pay to Bruce Mason, Attorney, 1505 South 108th Street, Omaha, NE 68144, out of the General Fund.	221,839.34
Indemnification Claim No. 354(96), against the Department of Health and Human Services, for attorney's fees associated with above-referenced case, pay to Nebraska Advocacy Services, 215 Centennial Mall South, Lincoln, NE 68508,	
out of the General Fund	159,221.73
out of the Department of Health and Human Services Cash Fund.	49,766.73

The claims included in this section shall be paid through Program 592 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

GENERAL FUND	381,061.07
CASH FUNDS	49,766.73
TOTAL	430,827.80

Sec. 4. The following sums of money, or so much thereof as may be required, are hereby appropriated from the General Fund or from other funds as indicated in the state treasury, not otherwise appropriated, for the payment of workers' compensation lump-sum settlements which have been approved by the Nebraska Workers' Compensation Court and which require the approval of the Legislature for payment.

DESCRIPTION	DOLLARS
Workers' Compensation Lump-Sum Settlement approved by the Nebraska Workers' Compensation Court, pay to Beverly Bartholow and Robert Henley Woody, Attorney, P.O. Box 34880, Omaha NE 68134, out of the Workers' Compensation Claims Revolving Fund.	230,976.00

The claim in this section shall be paid through Program 593 in Agency 65.

For informational purposes only, the appropriation contained in this section and fund source:

REVOLVING FUNDS	230,976.00
TOTAL	230,976.00

Sec. 5. The Director of Administrative Services is

hereby authorized and directed to draw his or her warrants on or before June 30, 2001, upon the funds in the state treasury enumerated in this act, in favor of the several beneficiaries named in this act for the amount set opposite their respective names upon the presentation of proper vouchers therefor. The several amounts appropriated in this act shall be in full payment of any and all claims, rights, causes of action, damages, and demands of every character and kind owing by or against the State of Nebraska, its officers, agents, and employees, and their successors and assigns with respect to each of the beneficiaries respectively in whose favor the appropriations are made. The director shall not deliver any warrant for any items appropriated in this act until a receipt and release in full, releasing the State of Nebraska, its officers, employees, and agents, and their successors and assigns, has been filed by each of the beneficiaries respectively. Upon presentation of the warrants, the State Treasurer is hereby directed to pay the same out of money in the General Fund or out of money in other funds indicated in this act not otherwise appropriated.

Sec. 6. The following requests were filed by state agencies seeking permission to write off certain accounts. The State Claims Board reviewed and approved the following requests:

DESCRIPTION	DOLLARS
Request No. 99-697, made by the Clerk of the Legislature	19.89
Request No. 00-104, made by the Department of Health and Human Services Finance and Support	487,023.89
Request No. 00-140, made by the Department of Revenue, Lottery Division	6,113.00
Request No. 00-152, made by the Supreme Court	197.44
Request No. 00-274, made by the Department of Health and Human Services, Western Nebraska Veterans' Home	13,551.78
Request No. 00-285, made by the Department of Administrative Services	1,147.27
Request No. 00-288, made by the Department of Health and Human Services, Grand Island Veterans' Home	85,416.39
Request No. 00-289, made by the Department of Health and Human Services, Thomas Fitzgerald Veterans' Home	15,445.04
Request No. 00-290, made by the Department of Health and Human Services, Norfolk Veterans' Home, Members Trust Account	5.89
Request No. 00-291, made by the Department of Health and Human Services, Norfolk Veterans' Home, Members Trust Account	.20
Request No. 00-292, made by the Department of Health and Human Services, Norfolk Veterans' Home	6,812.29

Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.".

(Signed) Adrian M. Smith, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 329. Introduced by Wickersham, 49; Bohlke, 33.

PURPOSE:

1. Information about how students progress through public postsecondary educational institutions can guide state policymakers and institutions in improving the educational experience and utilizing state resources efficiently. Retention rates, graduation rates, and transfer data could be used to guide students, allocate resources, and design efficient programs.

2. While some data is currently gathered, no statewide system exists to gather and track student enrollment patterns of postsecondary students and to compile that information in a format that informs administrators and policymakers. The University of Nebraska system, the state college system, and the community colleges all collect and report data, and those existing systems should be built upon to minimize duplicative data gathering.

3. An electronic state student information tracking system could make accurate and comprehensive information about transfers between public postsecondary educational institutions, student retention, and degree completion available in a timely manner.

4. Data must be collected so that the confidentiality of individually identifiable information is maintained.

5. It is in the interest of the state that those entities which would be responsible for collecting and reporting the data cooperate with those entities which would use the information to determine how to design a system that would be efficient and effective.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 330. Introduced by Wickersham, 49; Bromm, 23.

PURPOSE:

1. The recent and unprecedented economic growth in the United States has been driven in large part by information technology. Access to advanced telecommunications services and adequate data transfer speeds (band width) are necessary for people and businesses to participate in this digital economy.

2. Certain segments of the population do not have access to broad band and advanced telecommunications services. The gap in available services denies those segments of the population participation in the digital economy

and reduces the growth that could otherwise be realized if the technology were available to them.

3. The speed at which technology develops threatens to widen the gap between the technology haves and have-nots, leaving unserved and underserved populations ever further behind.

4. The high costs of providing broad band and advanced telecommunications services mean that rural, sparsely populated areas will be the last areas to have such services deployed or no access to such services unless alternative measures are identified to assist.

5. It is time that measures be identified which would facilitate deployment of broad band and advanced telecommunications services to those segments of the population which do not have access to and which are likely to lag ever further behind in the digital economy.

6. Public input should be sought in order to identify possible strategies and mechanisms for ensuring equal access to the information technology economy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT - Print in Journal

Senator Brown filed the following amendment to LB 1405:
AM2891

1. Strike the original sections and insert the following new section:

"Section 1. (1) Any medical professional who prescribes a drug or therapy or requests performance of a diagnostic procedure, which drug, therapy, or diagnostic procedure was derived from aborted fetal tissue or research using aborted fetal tissue, shall disclose to the patient the origin of the drug, therapy, or diagnostic procedure.

(2) For purposes of this section, aborted fetal tissue means human fetal tissue, cells, or organs that are obtained from a living or dead embryo or fetus during or after an induced abortion. Aborted fetal tissue does not include human fetal tissue, cells, or organs that are obtained from a spontaneous abortion or ectopic pregnancy.".

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 16, 2000, at 10:55 a.m., were the following: LBs 900e, 900Ae, 994, 1125, 1190, 155e, 438, 921, 1018, 1192e, 930, 944e, 960, and 1317e.

(Signed) Diana Bridges
Clerk of the Legislature's Office

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on March 16, 2000, at 10:40 a.m., was the following: LR 291CA.

(Signed) Jamie Kruse
Clerk of the Legislature's Office

SELECT FILE

LEGISLATIVE BILL 1436. E & R amendment, AM7202, found on page 761, was adopted.

The Landis amendment, AM2500, found on page 770, was withdrawn.

Senators Jensen and Bohlke offered the following amendment:
AM2914

(Amendments to E & R amendments, AM7202)

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 71-7608, Revised Statutes Supplement, 1999, is amended to read:

71-7608. The Nebraska Tobacco Settlement Trust Fund is created. The fund shall include any settlement payments or other revenue received ~~from a settlement or judgment awarded to~~ by the State of Nebraska ~~as a result of~~ in connection with any tobacco-related litigation ~~for compensation for the costs of treating smoking-related illnesses~~ to which the State of Nebraska is a party. The Department of Health and Human Services Finance and Support shall remit such revenue to the State Treasurer for credit to the fund, except that, of such revenue received on or after April 1, 2000, twenty-one million dollars shall be credited to the Tobacco Prevention and Control Cash Fund as follows: (1) Seven million dollars in FY1999-00, (2) seven million dollars in FY2000-01, and (3) seven million dollars in FY2001-02. Subject to the terms and conditions of ~~the settlement or judgment~~ such litigation, the investment income ~~on the revenue~~ from the fund shall be transferred to the ~~Excellence in~~ Nebraska Health Care ~~Trust~~ Cash Fund to be used ~~for grants or loan guarantees as provided in section 71-7614~~ as provided in section 71-7611. Any money in the Nebraska Tobacco Settlement Trust Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 2. Section 71-7614, Revised Statutes Supplement, 1999, is amended to read:

71-7614. (1) ~~Beginning January 15, 1999, the Excellence in~~ The Nebraska Health Care ~~Trust~~ Cash Fund shall be used for grants for (a) ~~awarding grants or making loan guarantees as described in section 71-7613 for conversion of nursing facilities to assisted-living facilities or other alternatives to nursing facility care, (b) awarding grants for~~ public health services which focus on health education, preventive health measures, and environmental health, assessment, and assurance, including services for reservation or service areas of federally recognized Native American tribes in Nebraska and organizations that focus on the health of minority groups, ~~(c) awarding grants for~~ (b) activities related to the design, maintenance, or enhancement of the statewide trauma system, support of emergency medical services programs, and support for the emergency medical services programs for children, ~~(d) awarding grants for~~ (c) conversion of hospitals in rural areas of the state to critical access hospitals, ~~(e) awarding grants for~~ (d) education, recruitment, and retention of primary care professionals, behavioral health professionals, and nurses for medically underserved areas, ~~(f) awarding grants for~~ (e) health infrastructure development which is supportive of telemedicine capability, including, but not limited to, high-speed data and medical information transmission, ~~(g) awarding grants for~~ and (f) the development and expansion of community-based aging services designed to promote the independent living status of and delay institutional care for elderly persons, including, but not limited to, personal care, respite care, homemaker care, and chore and transportation services. ~~, and (h) the state's matching share for children's health insurance under Title XXI of the federal Social Security Act in excess of the funds distributed under subdivision (2)(b) of section 71-7612. No more than one-half of the money in the Excellence in Health Care Trust Fund may be used for conversion projects under subdivision (a) of this subsection. No funds shall be used under this section for abortion, abortion counseling, referral for abortion, or school-based health clinics.~~

(2) The ~~Excellence in~~ Nebraska Health Care Council is created. The Director of Finance and Support or his or her designee shall be an ex officio member of the council. The council shall consist of a chairperson and ~~five~~ eight additional members appointed by the Governor with the approval of a majority of the Legislature. The chairperson and additional members shall be appointed for three-year terms, except that of the initial members, ~~two~~ three shall be appointed for one-year terms and ~~two~~ three for two-year terms. ~~Any member appointed prior to April 29, 1999, shall be subject to the approval of a majority of the Legislature.~~ The membership shall include at least one consumer and one health care provider. Any vacancy shall be filled in the same manner as the original appointment for the unexpired term. The Department of

Health and Human Services Finance and Support shall provide staff support for the council. The Department of Health and Human Services and the Department of Health and Human Services Regulation and Licensure shall also assist the Department of Health and Human Services Finance and Support and the council as may be necessary. Members of the council shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(3) The council, with the approval of the Director of Finance and Support, ~~shall award grants or make loan guarantees under subdivision (1)(a) of this section and~~ shall award grants under ~~subdivisions (1)(b) through (g)~~ subsection (1) of this section to a person or entity for expenditures, including, but not limited to, startup and training expenses and operating losses, which will improve access to or delivery of health care services to medically underserved individuals or in medically underserved areas or which will help contain or reduce the cost or improve the quality of health care services. ~~The Director of Finance and Support, with the advice of the Nursing Home Advisory Council and the Policy Cabinet created in section 81-3009, shall use the procedures and criteria of section 71-7613 to make recommendations for grants to be awarded or loan guarantees to be made by the Excellence in Health Care Council under subdivision (1)(a) of this section.~~

(4) Eligible ~~activities~~ services under subdivision ~~(1)(b)~~ (1)(a) of this section shall include, but not be limited to, (a) projects to implement the Community Health Care Act, (b) the hiring of school nurses by educational service units, school districts, public health entities, or partnerships between schools and public health entities in order to identify children for medicaid eligibility and to provide immunizations and other public health services, (c) health education and activities that focus on prenatal care, proper diet, physical activity, the reduction of teen and other unintended pregnancies, the prevention of disease, and other public health problems, (d) staffing needs for public health services or education, including recruitment and training, (e) pregnancy testing, (f) tests and screenings for blood pressure, cholesterol, sexually transmitted diseases, cervical cancer, breast cancer, communicable diseases, and other potential public health problems, (g) matching funds for state and federal health programs designed to address public health needs, (h) laboratory equipment to enable the Department of Health and Human Services Regulation and Licensure to carry out its powers and duties relating to laboratory services, and (i) public health environmental services. ~~, and (j) education, research, and outreach programs that specifically address the cause and prevention of smoking-related diseases and smoking prevention and cessation.~~

(5) This section does not create an entitlement to any funds available for grants ~~or loan guarantees~~ under this section, and the council may award grants ~~or make loan guarantees~~ to the

extent funds are available and, within its discretion, to the extent such applications are approved.

(6) The department shall:

(a) In consultation with the ~~Excellence in~~ Nebraska Health Care Council, develop criteria for the awarding of grants from the ~~Excellence in~~ Nebraska Health Care ~~Trust~~ Cash Fund pursuant to ~~subdivisions (1)(b) through (g)~~ subsection (1) of this section;

(b) Have the power to approve or disapprove decisions by the council regarding the selection of projects to be funded and the distribution and duration of project funding;

(c) In consultation with the council, establish standards, formats, procedures, and timelines for the successful implementation of approved projects;

(d) In consultation with the council, assist grant recipients in determining the effectiveness of the project and measure the accomplishment of the grant objectives; and

(e) Provide annual reports to the Governor and the Legislature concerning the projects. Each report shall include the number of applicants and approved applicants, an overview of the various projects, and detailed reports of the cost of each project.

(7) The department shall, in consultation with the council, adopt and promulgate rules and regulations establishing criteria, standards, and procedures regarding the selection and administration of projects funded from the fund pursuant to ~~subdivisions (1)(b) through (g)~~ subsection (1) of this section. Recipients of such grants shall be required to provide, upon request, such data relating to the funded projects as the department deems necessary.

Sec. 3. The Tobacco Prevention and Control Cash Fund is created. The fund shall be appropriated by the Legislature for a comprehensive statewide tobacco-related public health program, including, but not limited to: (1) Community programs to reduce tobacco use, (2) chronic disease programs, (3) school programs, (4) statewide programs, (5) enforcement, (6) counter marketing, (7) cessation programs, (8) surveillance and evaluation, (9) administration, and (10) the Teen Tobacco Education and Prevention Project. The Legislature is not required to appropriate all available revenue from the fund for such purpose in any given year. The Health and Human Services Committee of the Legislature shall make annual recommendations for appropriations from the fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Sec. 4. (1) The Teen Tobacco Education and Prevention Project is created. The purpose of the project is to provide scholarships for high school students who design creative project proposals to aid in the prevention, reduction, and cessation of teen smoking and to provide award money for the sponsors of such proposals.

(2) The Teen Tobacco Education and Prevention Project Committee is created. The committee shall develop criteria for the submission of project proposals and shall select winning project proposals pursuant to subsection (4) of this section and rules and regulations adopted and promulgated under this section. The committee shall be appointed by the Governor and shall have no more than fifteen members. Committee members shall include (a) high school teachers or advisors, (b) one high school student from each category of school listed in subsection (4) of this section, (c) a physician, (d) persons with advertising or broadcasting expertise, (e) tobacco control advocates, (f) public health representatives, and (g) business persons. Any vacancy on the committee shall be filled in the same manner as the initial appointment. The Department of Health and Human Services shall provide staff support for the committee. Committee members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

(3) On or before December 31 of each year, high school students who reside or attend school in Nebraska may submit project proposals to the committee. Each project proposal shall be designed and developed, by no more than four high school students, to be implemented statewide or in the school, community, or geographic area where such students reside or attend school. Project proposals may include programs, advertisement campaigns, small group projects, conferences, seminars, billboards, pamphlets, productions, television advertisements, radio advertisements, promotional ideas, or any other innovative concept the purpose of which is to help reduce, prevent, or stop teen smoking. The budget for each project proposal shall not exceed one hundred thousand dollars. The Department of Health and Human Services shall use all reasonable efforts to promote the program and shall provide at least one application to each high school in the state.

(4) By March 1 of each year, the committee shall select four winning project proposals from among those submitted: (a) One from a school with a membership of less than one hundred twenty-five students in grades nine through twelve, (b) one from a school with a membership of less than three hundred twenty but at least one hundred twenty-five students in grades nine through twelve, (c) one from a school with a membership of less than one thousand fifty but at least three hundred twenty students in grades nine through twelve, and (d) one from a school with a membership of one thousand fifty or more students in grades nine through twelve. The designers of the winning project proposals shall each be awarded a five-thousand-dollar scholarship and shall oversee the implementation of such project proposals statewide or in their school, community, or geographic area. The sponsor of each winning project proposal shall also be awarded five thousand dollars. The State Department of Education shall oversee and administer the

sponsorship awards provided in this section.

(5) The Department of Health and Human Services shall adopt and promulgate rules and regulations as necessary to carry out the duties set forth in subsections (1) through (4) of this section.

(6) The Coordinating Commission for Postsecondary Education shall oversee and administer the scholarships provided in this section. Scholarships may only be used by an eligible student for educational expenses at an eligible institution as defined under the Scholarship Assistance Program Act. The commission shall adopt and promulgate rules and regulations as necessary to carry out the duties set forth in this subsection.

(7) The Department of Health and Human Services shall annually review the Teen Tobacco Education and Prevention Project and submit a report of such review to the Governor and Legislature on or before December 31 of each year.

(8) This section shall terminate on January 1, 2003.

Sec. 5. Sections 1, 5, 6, and 8 of this act become operative on the effective date of this act. The other sections of this act become operative three calendar months after the adjournment of this legislative session.

Sec. 6. Original section 71-7608, Revised Statutes Supplement, 1999, is repealed.

Sec. 7. Original section 71-7614, Revised Statutes Supplement, 1999, is repealed.

Sec. 8. Since an emergency exists, this act takes effect when passed and approved according to law.".

Senator Jensen offered the following amendment to the Jensen-Bohlke amendment:
FA334
Amend AM2914
1. On page 9, line 10, strike "State Department of Education" and insert "Department of Health and Human Services".
2. On page 10, line 1, after "," insert "3,".

The Jensen amendment was adopted with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

The Jensen-Bohlke amendment, as amended, was adopted with 31 ayes, 2 nays, 10 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1436A. Senator Bohlke offered the following amendment:
AM2920

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $7,000,000 from the Tobacco Prevention and Control Cash Fund for FY2000-01 and (2) $7,000,000 from the Tobacco Prevention and Control Cash Fund for FY2001-02 to the Department of Health and Human Services, for Program 30, to aid in carrying out the provisions of Legislative Bill 1436, Ninety-sixth Legislature, Second Session, 2000.

It is the intent of the Legislature that $520,000 be provided each fiscal year for implementation of section 4 of Legislative Bill 1436, Ninety-sixth Legislature, Second Session, 2000.

Sec. 2. Since an emergency exists, this act takes effect when passed and approved according to law.".

The Bohlke amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 715. E & R amendment, AM7210, found on page 851, was adopted.

Senator Raikes renewed his pending amendment, AM2801, printed separately and referred to on page 1069.

Senators Bruning, Quandahl, and Crosby asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Kristensen asked unanimous consent to bracket LB 715 until April 11, 2000. No objections. So ordered.

LEGISLATIVE BILL 709. E & R amendment, AM7217, printed separately and found on page 913, was adopted.

Senator Chambers moved to indefinitely postpone LB 709.

Pending.

LEGISLATIVE BILL 1023. E & R amendment, AM7216, found on page 913, was adopted.

Senators Jensen and Dierks renewed their pending amendment, AM2814, found on page 1057.

Senator Hudkins requested to pass over LB 1023.

LEGISLATIVE BILL 1085. E & R amendment, AM7221, found on page 918, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1197. Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 1363. Title read. Considered.

Senator Kiel renewed her pending amendment, AM2856, found on page 1095.

The Kiel amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1363A. Title read. Considered.

Advanced to E & R for review with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 352. Title read. Considered.

Pending.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 171:
AM2906

(Amendments to Standing Committee amendments, AM2103)

1. On page 1, line 15, strike "all" and insert "one-half".

Senator Dierks filed the following amendment to LB 833:
AM2897

(Amendments to AM2004)

1. Strike section 6.
2. On page 3, lines 18 and 19, strike "and 54-2617 to 54-2619" and insert ", 54-2617, and 54-2618".
3. Renumber the remaining section accordingly.

Senator Beutler filed the following amendment to LB 171:
AM2912

(Amendments to AM2103)

1. Insert the following new section:

"Sec. 3. The Tax Commissioner shall annually publish a list of over-the-air television stations that have received a refund of sales and use taxes under section 2 of this act. The list shall be published by October 1 each year. Each over-the-air television station that receives such a refund shall provide one-half hour of television time for general election gubernatorial debates between the hours of 5:30 p.m. and 10:00 p.m. between the second and fifteenth day prior to the general election. The television time shall be provided at no charge.".

2. On page 1, line 21, after "state" insert ", and the name of the claimant may be disclosed for purposes of section 3 of this act".

3. Renumber the remaining section accordingly.

Senator Dierks filed the following amendment to LB 833:
AM2917

(Amendments to Standing Committee amendments, AM2004)

1. Insert the following new section:

"Section. 1. Section 54-2601, Revised Statutes Supplement, 1999, is amended to read:

54-2601. Sections 54-2601 to 54-2631 shall be known and may be cited as the Competitive Livestock Markets Act. As of the effective date of this act, the department's responsibilities under sections 54-2616, 54-2626, and 54-2629 shall not be in effect until such time as the department's responsibilities to collect and report livestock price information is no longer preempted by federal law.".

2. On page 3, line 18, after "sections" insert "54-2601," and after "54-2609" insert a comma.

3. Renumber the remaining sections accordingly.

Senator Redfield filed the following amendment to LB 1115:
AM2904

1. Insert the following new sections:

"Sec. 2. Section 18-1739, Reissue Revised Statutes of Nebraska, is amended to read:

18-1739. (1) The permit to be issued pursuant to section 18-1738 or 18-1738.01 shall be constructed of a durable plastic designed to resist normal wear or fading for the term of the permit's issuance and printed so as to minimize the possibility of alteration following issuance. The permit shall be of a design, size, configuration, color, and construction and contain such information as specified in the rules and regulations adopted and promulgated by the United States Department of Transportation in the Uniform System for Handicapped Parking, 23 C.F.R. part 1235.

(2) In addition to the requirements of subsection (1) of this section, the permit shall show such identifying information with regard to the handicapped or disabled person or temporarily handicapped or disabled person to whom it is issued as is necessary to the enforcement of sections 18-1736 to 18-1741.07 as determined by the Department of Motor Vehicles.

(3) No permit shall be issued to any person or for any motor vehicle if any parking permit has been issued to such person or for such motor vehicle and such permit has been suspended pursuant to section 18-1741. At the expiration of such suspension, a permit may be renewed ~~upon the payment of the permit fee~~ in the manner provided for renewal in sections 18-1738, 18-1738.01, and 18-1740.

(4) A duplicate permit may be provided ~~without cost~~ if the original permit is destroyed, lost, or stolen. Such duplicate permit shall be issued in the same manner as the original permit, except that a newly completed medical form need not be provided if a completed medical form submitted at the time of the most recent application for a permit or its renewal is on file with the clerk or designated county official. A duplicate permit shall be valid for the remainder of the period for which the original permit was issued.

Sec. 3. Section 18-1740, Reissue Revised Statutes of Nebraska, is amended to read:

18-1740. (1) ~~All permits authorized under sections 18-1736 to 18-1741 for handicapped or disabled parking prior to September 10, 1993, shall be issued for a period ending January 1 of the fourth year following the date of issuance. All permits authorized under such sections for handicapped or disabled parking after September 9, 1993, and before September 10, 1995, shall be issued for a period of three years. Upon the expiration of a permanent permit, it may be renewed pursuant to the provisions of this section and section 18-1738 or 18-1738.01. After September 9, 1995, all~~ All permanently issued permits for handicapped or disabled parking authorized by sections 18-1736 to 18-1741.07 shall be issued for a period ending on September 30 of the third year ~~following~~ after the date of issuance and shall expire on that date, except that an application for the renewal of a permit filed with the issuing city or village clerk or designated county official within thirty days ~~of~~ after the date of ~~after~~ its expiration shall be deemed to have been filed prior to the date of its expiration. The possession of an expired but otherwise valid handicapped parking permit within thirty days ~~following~~ after the date of its expiration shall serve as a full and complete defense in any action for a handicapped parking infraction resulting from the absence of a handicapped parking permit arising during that thirty-day period.

(2) ~~All permits authorized under sections 18-1736 to 18-1741 prior to September 10, 1995, for temporarily handicapped or disabled parking shall be issued for a period ending ninety days after the date of issuance but may be renewed for up to three additional ninety-day periods.~~ All permits authorized under sections 18-1736 to 18-1741.07 ~~after September 9, 1995,~~ for temporarily handicapped or disabled parking shall be issued for a period ending not more than six months after the date of issuance but may be renewed one time for a ~~one-time~~ period not to exceed six

months. For the renewal period, there shall be submitted an additional application with proof of a handicap or disability. ~~and the required permit fee.~~

~~(3) A permit fee of three dollars shall be charged for each permit, two dollars of which shall be retained by the clerk or designated county official who submits the permit and one dollar of which shall be forwarded on a quarterly basis to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.~~

Sec. 4. Section 18-1741, Reissue Revised Statutes of Nebraska, is amended to read:

18-1741. Permits issued under sections 18-1736 to 18-1741 shall not be transferable and shall be used only by the party to whom issued or for the motor vehicle for which issued and only for the purpose for which it is issued. No person shall alter or reproduce in any manner a permit issued pursuant to section 18-1738 or 18-1738.01. No person shall knowingly hold more than one permit or knowingly provide false information on an application for a permit issued pursuant to such sections. Any violation of this section shall be cause for suspension of such permit for a period of six months and such other punishment as may be provided by local ordinance. In addition, the trial court shall impose a fine of not more than two hundred fifty dollars which may be waived by the court if, at the time of sentencing, all handicapped parking permits issued to or in the possession of the offender are returned to the court. At the expiration of such six-month period, a suspended permit may be renewed ~~upon the payment of the permit fee~~ in the manner provided for renewal in sections 18-1738, 18-1738.01, and 18-1740.".

2. Renumber the remaining sections and correct repealer and internal references accordingly.

Senator Wickersham filed the following amendment to LB 171:
AM2922

(Amendments to AM2103)

1. On page 1, line 8, after "station" insert "that has its primary production and broadcasting facilities located in a county in Nebraska with a population of one hundred thousand or less inhabitants".

Senator Brashear filed the following amendment to LB 1115:
AM2916

1. On page 20, line 4, after the semicolon insert "and"; and strike beginning with the "in" in line 5 through line 8, show as stricken, and insert an underscored colon.

2. On page 21, after line 13 insert:

"(3) Any food products or dietary supplements containing ephedrine, its salts, optical isomers, and salts of such optical isomers are excepted from subdivision (g)(1) of Schedule IV if they (a) contain natural ephedrine alkaloids, its salts, optical isomers, and salts of such optical isomers and (b) are marketed in conformance with the federal Dietary Supplement Health and Education Act of 1994.".

Senator Coordsen filed the following amendment to LB 628:
AM2918

1. Insert the following new section:

"Sec. 4. Section 86-1701, Reissue Revised Statutes of Nebraska, is amended to read:

86-1701. (1) It is the intent of the Legislature to promote economic growth and the efficient operation of business and government in Nebraska through the electronic exchange of information and legally binding electronic transactions. In order to facilitate the electronic exchange of information, Nebraska must establish means to ensure that electronic transactions are legally binding and enforceable, while ensuring that security measures are in place to prevent opportunities for fraud and misuse.

(2) In any written communication in which a signature is required or used, any party to the communication may affix a signature by use of a digital signature that complies with the requirements of this section. The use of a digital signature shall have the same force and effect as the use of a manual signature if and only if it embodies all of the following attributes:

(a) It is unique to the person using it;

(b) It is capable of verification;

(c) It is under the sole control of the person using it;

(d) It is linked to data in such a manner that if the data is changed, the digital signature is invalidated; and

(e) It conforms to rules and regulations adopted and promulgated by the Secretary of State.

~~(2)~~ (3) In any communication in which a signature is required or used, a state agency or political subdivision may accept a digital signature or an electronic signature and may accept the communication in electronic format. Any use of a digital signature, an electronic signature, or an electronic communication by a court is subject to the rules of the Supreme Court.

(4) The Secretary of State shall adopt and promulgate rules and regulations to carry out this section which:

(a) Identify and define the type of signature which may be used in the electronic communications governed by the rules and regulations;

(b) Identify and define the type of electronic communications for which a digital signature or an electronic signature may be used; and

(c) Provide a degree of security reasonably related to the risks and consequences of fraud or misuse for the type of electronic communication which, at a minimum, shall require the maintenance of an audit trail of the assignment or approval and the use of the unique access code or unique electronic identifier.

(5) This section shall not be construed to invalidate digital signatures, electronic signatures, or electronic communications which are valid under any other applicable law.

(6) Unless otherwise provided by law, the use or acceptance of a digital signature or an electronic signature shall be at the option of the parties to the communication. This section shall not be construed to require a person to use or permit the use of a digital signature or electronic signature.

(7) ~~The Secretary of State shall adopt and promulgate rules and regulations to carry out this section. The initial rules and regulations shall be adopted no later than January 1, 1999.~~ In developing the rules and regulations, the Secretary of State shall seek the advice of public and private entities, including the Department of Administrative Services.

~~(3) The use or acceptance of a digital signature shall be at the option of the parties to the communication. Nothing in this section shall require a person to use or permit the use of a digital signature.~~

~~(4)~~ (8) For purposes of this section:

(a) Electronic signature means a unique access code or other unique electronic identifier assigned or approved by the state agency for use in communications with the state agency;

(b) Digital ~~, digital~~ signature means an electronic identifier, created by computer, intended by the person using it to have the same force and effect as a manual signature; and

(c) State agency means any agency, board, court, or constitutional officer of the executive, judicial, and legislative branches of state government, except individual members of the Legislature.".

2. On page 6, line 16, strike "and"; and in line 17 after the first comma insert "and 86-1701,".

3. Renumber the remaining section accordingly.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Monday, March 27, 2000 1:30 p.m.
Nebraska Accountability and Disclosure Commission
Frank Hayes
Nancy Reckewey

(Signed) DiAnna R. Schimek, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 331. Introduced by Redfield, 12.

PURPOSE: Legislative Bill 1002, Ninety-sixth Legislature, Second Session, 2000, was introduced to create laws limiting unsolicited electronic mail advertising. The issues raised by the bill should be studied by the Legislature to determine the extent of the problems created by unsolicited electronic mail advertising and whether the solutions proposed by the bill will address those problems; to review similar legislation enacted in other states; and study the scope of state jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 332. Introduced by Bohlke, 33.

WHEREAS, Mr. Bob Allen has long been a voice for education, beginning with his service on the Hastings Board of Education from 1972 to 1976; and

WHEREAS, Mr. Allen was first elected to serve as the representative of District 5 on the Board of Regents of the University of Nebraska in 1988; and

WHEREAS, Mr. Allen was re-elected to the Board of Regents of the University of Nebraska in 1994; and

WHEREAS, Mr. Allen was elected chairperson of the Board of Regents of the University of Nebraska in 1998; and

WHEREAS, as a regent Mr. Allen has given highest priority to quality educational opportunities for students; and

WHEREAS, as a regent Mr. Allen has put the needs of the classrooms first; and

WHEREAS, Regent Allen's current term on the Board of Regents of the University of Nebraska ends in January, 2001.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature commends Mr. Bob Allen for his commitment to postsecondary education in Nebraska.

2. That the Legislature recognize Mr. Allen for his years of service on the Board of Regents of the University of Nebraska.

3. That the Legislature wishes Mr. Allen well as he completes his term in office and looks forward to new endeavors.

4. That a copy of this resolution be sent to Mr. Allen in acknowledgment of his contributions to the university system in Nebraska.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 352. The Standing Committee amendment, AM2000, found on page 416, was considered.

Senator Jensen renewed his pending amendment, AM2605, found on page 882, to the Standing Committee amendment.

Senator Kremer asked unanimous consent to be excused until he returns. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

Senator Wickersham moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 30 ayes, 1 nay, and 18 not voting.

The Jensen amendment lost with 13 ayes, 20 nays, 10 present and not voting, and 6 excused and not voting.

Pending.

AMENDMENT - Print in Journal

Senator Matzke filed the following amendment to LB 936:
AM2911

(Amendments to Standing Committee amendments, AM2736)

1. On page 1, line 20, strike "as determined"; and strike lines 22 through 24.

2. On page 2, strike lines 1 through 12; in line 13 strike "(4)" and insert "(3)"; in line 15 strike "(5)" and insert "(4)"; in line 19 strike "(6)" and insert "(5)"; and in line 21 strike "(7)" and insert "(6)".

3. On page 3, line 5, strike "(8)" and insert "(7)"; in line 8 strike "(9)" and insert "(8)"; in line 11 strike "(10)" and insert "(9)"; in line 19 strike "(11)" and insert (10); in line 22 strike "(12)" and insert "(11)"; and in line 25 strike "(13)" and insert "(12)".

4. On page 4, lines 1, 18, and 25, strike "(14)" and insert "(13)".

5. On page 5, line 4, strike "(15)" and insert "(14)"; in line 10 strike "(16)" and insert "(15)"; in line 17 strike "(17)" and insert "(16)"; in line 20 strike "average regional" and insert "regional average"; and in line 22 strike "(18)" and insert "(17)".

6. On page 6, line 12, strike "Cass,"; in line 15 after the comma insert "Cass,"; and after line 16 insert the following new subdivision:

"(18) Regional average annual wage, for a project located in one region, means the most recent average annual wage paid by all employers in the region for the most recent calendar year calculated by multiplying the average annual wage for each county in the region for the most recent calendar year reported as of July 1 by the Department of Labor by the corresponding average annual total employment in each county, summing the products for all counties in the region, and then dividing the result by the average annual total employment of all counties in the region. Regional average annual wage, for a project located in more than one region, means the regional average annual wage for each region in which the project is located, multiplied by the total of the average annual total employment for each region in which the project is located, the product then divided by the sum of the average annual total employment for the regions;".

7. On page 8, line 21, strike "and" and insert a comma and strike "average" and insert "annual"; and in line 23 after "wage" insert ", and (iii) the investment in qualified property of at least one hundred thousand dollars times one-half of one percent of the labor force in the county or counties in which the project will be located rounded to the nearest whole number".

MOTION - Adjournment

Senator Wickersham moved to adjourn until 9:00 a.m., Tuesday, March 21, 2000. The motion failed with 9 ayes, 16 nays, 18 present and not voting, and 6 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 352. The Standing Committee amendment, AM2000, found on page 416 and considered on page 1143, was renewed.

The Standing Committee amendment lost with 5 ayes, 15 nays, 23 present and not voting, and 6 excused and not voting.

Senator Crosby withdrew her amendment, AM2818, found on page 1049.

Senator Crosby renewed her pending amendment, AM2866, found on page 1099.

The Crosby amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Senator Brashear asked unanimous consent to be excused. No objections. So ordered.

Senator Beutler offered the following amendment:
AM2817

1. Insert the following new sections:

"Sec. 18. (1) The Legislature finds that:

(a) Newspapers are a significant and important source of daily information;

(b) As a written form of media, newspapers are able to provide indepth coverage of issues as well as coverage of a breadth of issues which may be absent in other electronic or broadcast media;

(c) While a newspaper's written format has advantages, such written format severely limits the ability of blind and other print-reading-impaired persons to obtain information from newspapers;

(d) This information deficit contributes to an unemployment rate estimated at seventy-five percent among working-age blind persons to whom the availability of such detailed news coverage would vastly improve opportunities for meaningful employment;

(e) There are a significant number of blind and print-reading-impaired persons in Nebraska who would benefit from having timely and complete access to local and national newspapers;

(f) Due to technological advances, newspapers can be efficiently and effectively distributed by voice to enable access by blind and other print-reading-impaired persons; and

(g) The state should maintain a system by which blind and other print-reading-impaired persons can access the information newspapers provide.

(2) The purposes of sections 18 and 19 of this act are to provide a digital voice newspaper delivery system to enable blind and other print-reading-impaired persons to access newspapers in a timely and comprehensive manner.

Sec. 19. (1) The Commission for the Blind and Visually Impaired shall establish standards and procedures for a statewide digital voice newspaper delivery system and shall oversee its operation. The commission shall:

(a) Enter into contracts for the operation of such system;

(b) Provide space for the location of distribution devices and other equipment necessary to operate the system;

(c) Provide for daily monitoring to assure prompt and accurate functioning;

(d) Advertise the system and recruit blind and other print-reading-impaired persons for user certification;

(e) Develop and implement procedures for user certification;

(f) Serve as a coordinator between the system operator and the certified users; and

(g) Adopt and promulgate rules and regulations to carry out sections 18 and 19 of this act.

(2) Any certified user of the system shall not be charged for access to the system other than instate and out-of-state

27 long-distance charges incurred while accessing the system.".
1 2. Renumber the remaining sections accordingly.

Senator Kiel asked unanimous consent to be excused. No objections. So ordered.

The Beutler amendment was adopted with 29 ayes, 0 nays, 13 present and not voting, and 7 excused and not voting.

Senator Tyson moved to indefinitely postpone LB 352.

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Baker asked unanimous consent to be excused. No objections. So ordered.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Tyson moved for a call of the house. The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Crosby requested a roll call vote on the Tyson motion to indefinitely postpone.

Voting in the affirmative, 5:

Bromm
Price
Redfield
Tyson
Wickersham

Voting in the negative, 32:

Aguilar
Beutler
Bourne
Bruning
Byars
Chambers
Connealy
Crosby
Cudaback
Dickey
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Kristensen
Lynch
Matzke
Pedersen, Dw.
Preister
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Vrtiska
Wehrbein

Present and not voting, 2:

Bohlke
Brown

Excused and not voting, 10:

Baker
Brashear
Coordsen
Hartnett
Jones
Kiel
Kremer
Landis
Pederson, D.
Thompson

The Tyson motion to indefinitely postpone failed with 5 ayes, 32 nays, 2 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

SENATOR CUDABACK PRESIDING

Senators Byars and Kristensen asked unanimous consent to be excused. No objections. So ordered.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

Advanced to E & R for review with 29 ayes, 5 nays, 3 present and not voting, and 12 excused and not voting.

AMENDMENT - Print in Journal

Senator Bruning filed the following amendment to LB 352:
AM2787

1. Insert the following new section:

"Sec. 18. (1) The Commission for the Blind and Visually Impaired or its successor agency, the Nebraska Information Technology Commission, and the Chief Information Officer, in consultation with other state agencies and after at least one public hearing, shall develop a technology access clause to be included in all contracts entered into by state agencies on and after January 1, 2001.

(2) The technology access clause shall clearly state, as a condition for the expenditure of state funds in the purchase of information technology, that the input and output technology shall be capable of supporting modification and otherwise provide for equivalent access for both visual and nonvisual use.

(3) The technology access clause shall be included in all contracts made by state agencies that involve the purchase of an automated information system, without regard to:

(a) The source of funds used to make the purchase;

(b) Whether the purchase is made under delegated purchasing authority; or

(c) The source of law under which the purchase is made.".

2. Renumber the remaining sections accordingly.

MESSAGE FROM THE GOVERNOR

March 16, 2000

Patrick J. O'Donnell
Clerk of the Legislature

State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 74, 692, and 1258e were received in my office on March 13, 2000.

These bills were signed by me on March 16, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

VISITORS

Visitors to the Chamber were high school students and sponsor from Scottsbluff High School; 40 students and teachers from South Center District #70 School, Wahoo; Kandy Imes from Gering; 98 fourth grade students and teachers from Crete Elementary School; and former Senator Tim Conway and his wife, Kate, from Kildare, Ireland.

The Doctor of the Day was Dr. Leon Books from Broken Bow.

ADJOURNMENT

At 2:20 p.m., on a motion by Senator Aguilar, the Legislature adjourned until 9:00 a.m., Tuesday, March 21, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

LEGISLATIVE JOURNAL

OF THE

STATE OF NEBRASKA

Volume 2

NINETY-SIXTH LEGISLATURE
SECOND SESSION

2000

Convened January 5, 2000 Adjourned April 12, 2000

LINCOLN, NEBRASKA

Compiled

Under the Authority of the Legislature

by

PATRICK J. O'DONNELL, CLERK

FORTY-SIXTH DAY - MARCH 21, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 21, 2000

PRAYER

The prayer was offered by Pastor Steve Ratzlaff, First Mennonite Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Bohlke, Brown, Byars, Hartnett, Jensen, Kiel, Kremer, Kristensen, Landis, Lynch, Price, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

MESSAGE FROM THE GOVERNOR

March 17, 2000

President, Speaker Kristensen
  and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Accountability & Disclosure Commission:

APPOINTEE:
Marilee Fredrickson, 2302 S 184 Cr, Omaha NE 68136

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

ATTORNEY GENERAL'S OPINION

Opinion #00021

DATE: March 20, 2000

SUBJECT: Reconsideration and clarification of Op. Att'y Gen. No. 00010 on assessment testing of academic standards by the Nebraska Department of Education.

REQUESTED BY: Douglas D. Christensen, Commissioner of Education
Senator Ardyce Bohlke, Education Committee Chair

WRITTEN BY: Don Stenberg, Attorney General
Charlotte R. Koranda, Assistant Attorney General

This opinion is written in response to your request for reconsideration and clarification of Op. Att'y Gen. No. 00010. In Op. Att'y Gen. No. 00010, this office stated that the Department of Education ("Department") could not conduct assessment testing on their four content standard regulations for purposes of satisfying the Department's responsibilities under Neb. Rev. Stat. § 79-760 (1998 Cum. Supp.).

Issues

Your letter indicates that your primary concern is the relationship between mandatory assessment testing required by § 79-760 and the State Board of Education's ("State Board") voluntary academic content standards in 94 NAC 1 through 4. On page one of your letter, you state: "We ask you to reconsider whether the statutory requirement to administer a standards-based assessment, by itself, has the effect of legally compelling districts to adopt and implement the standards on which the assessment is based."

You also state in your letter that the Department anticipates rating schools on the basis of their assessment reports. You state on page two of your letter: "We ask you to clarify whether a rating such as 'high performing' or 'low performing,' with no legal consequences attached, would constitute a legal reward or sanction and, therefore, necessitate that the Department's standards be mandatory and specific."

Administrative Regulations and Statutes

We will briefly summarize the applicable regulations and statutes. A more comprehensive review of this information is available in Op. Att'y Gen. No. 00010.

The Department's four academic standards are Nebraska Mathematics Content Standards, 94 NAC 1; Nebraska Reading/Writing Content Standards, 94 NAC 2; Nebraska Science Content Standards, 94 NAC 3; and Nebraska Social Studies/History Content Standards, 94 NAC 4. The Department's purpose for adopting these standards is set forth in § 001.01 of all four of these regulations. "The State Board of Education adopts these standards to identify what students should know and be able to do and what teachers should teach." The Attorney General's office conditioned its approval of the regulations upon the Department's use of them as voluntary. The voluntary nature of these regulations is set forth in § 001.02 of all four regulations. "There is no requirement for school districts to adopt standards."

Pursuant to § 79-760, the Department is required to implement a statewide assessment program and public schools are required to participate in the program. Section 79-760 also requires that the aggregate results for each school district be reported to the Department.

The purposes for implementation of the assessment program are:

> (a) Evaluate whether or not students in a school system have acquired skills and knowledge which allow them to meet or exceed academic standards established by the state board;
> (b) Measure progress of students in a school system toward meeting academic standards established by the state board.
> (c) Provide information for analysis of adopted standards and consideration of new standards;
> (d) Allow comparisons to be made between the academic achievement of students in a local system and students in another Nebraska local system; and
> (e) Allow comparisons to be made between the academic achievement of Nebraska students with the academic achievement of students in other states.

Neb. Rev. Stat. § 79-760(2) (Cum. Supp. 1998).

Analysis

We agree that § 79-760 requires school districts to assess their students using an assessment developed by the Department based on standards established by the Department. We also agree that § 79-760 does not explicitly state that school districts must adopt and implement the Department's academic standards, nor does it require the Department to enforce those standards.

However, the purpose for the annual assessment testing as stated in § 79-760, the legislative history and the Department's assessment materials all indicate that the goal is to measure student progress toward meeting or exceeding the Department's academic standards. How can one make progress toward a standard without incorporating that standard into the curriculum? Other purposes identified in § 79-760 make various comparisons of the academic achievement of Nebraska students and academic achievement is equated with the extent to which students have mastered the academic standards upon which they are tested. Clearly, § 79-760 uses the academic standards upon which students are tested as a basis for determining the performance of public schools and the quality of public education in Nebraska.

There are numerous references in the legislative history to the purposes or goals for conducting assessment testing. Statements before the Committee on Education include the following. "The purpose of the testing is to ensure accountability for student achievement and to measure individual student progress toward academic standards." Introducer's Statement of Intent on L.B. 1228, 95th Leg., 2nd Sess. 2 (Feb. 2, 1998) (statement of Sen. Bohlke). "That would be the statewide test, what I called the accountability test, the assessment and the accountability." Hearing on L.B. 1228 Before the Comm. on Educ., 95th Leg., 2nd Sess. 8 (Feb. 2, 1998) (statement of Sen. Bohlke). "I could even see it coming to the point where we could sell a floppy disk of the information and you could take it as a study group, at the local level, and study whether or not you're in line with what other school districts in the state are doing. . . ." Hearing on L.B. 1228 Before the Comm. on Educ., 95th Leg., 2nd Sess. 8 (Feb. 2, 1998) (statement of Kathleen McCallister, President of the State Board of Education). "The intention would be that there is some measurement that we agree on for a particular subject or a particular grade level so that the notion of comparison of districts in the sense that we want to benchmark ourself against the high-performing district, how do they do what they do and get such high scores in reading?" Hearing on L.B. 1228 Before the Comm. on Educ., 95th Leg., 2nd Sess. 8 (Feb. 2, 1998) (statement of Doug Christiansen, Commissioner of Education). "The purpose of the testing is to ensure accountability for student achievement and to measure individual student progress toward academic standards. The test shall be designed to compare achievement on a statewide and national basis and to enable teachers to evaluate performance of students." Committee Statement for L.B. 1228, 95th Leg., 2nd Sess. 3 (Feb. 2, 1998) (Comm. on Educ.).

There were some brief discussions of the assessment testing portion of L.B. 1228 on the floor of the legislature. "The important thing is having it correlated to our standards that we've adopted, and if they do that, I think it would be close enough to those standards that's really getting at what we're trying to with the bill, and that is to make sure that we have a common reporting and know that schools are working toward those standards and the quality indicators here in the bill." Floor Debate on L.B. 1228, 95th Leg., 2nd Sess. 13809-10 (Mar. 18, 1998) (statement of Sen. Bohlke).

> Senator Crosby, members of the Legislature, we are spending several million dollars developing a statewide test, and the reason that we're doing that, in part, a large part, is to restore the confidence of the public in the education system. And one of the things that has grieved the public, I believe, is their inability to compare school districts, schools within their districts, no means by which to do that, in any sort of realistic way. There is . . . there is no point to spending all this money and having all these requirements if, in fact, the result of what you're doing does not give the public the kind of comparison information that they're asking for."

Floor Debate on L.B. 1228, 95th Leg., 2nd Sess. 13809-10 (Mar. 18, 1998) (statement of Sen. Beutler).

Although § 79-760 does not explicitly state that public schools are required to adopt the academic standards upon which their students are tested, the practical effect of § 79-760 is to impose those standards upon the schools. We see no other purpose which would be served by the assessment testing. The intent of § 79-760 is that schools would focus on teaching its students the substance of the academic standards and their progress toward achieving that goal would be measured on an annual basis through assessment testing. Therefore, it would inappropriate for the Department to conduct assessment testing on academic standards which are unconstitutionally vague.

You also ask whether rating the schools on the basis of their aggregate test results, with no legal consequences attached, would constitute a legal reward or sanction necessitating that the Department's standards be mandatory and specific. We have previously stated that the Department cannot test on the four content standard regulations since they contain unconstitutionally vague language. We find no statutory language requiring that the standards be mandatory in order for the Department to implement the assessment testing. We do not consider rating school performance on the assessment testing to be a legal reward or sanction. Although schools are required to participate in the assessment testing, the Department does not have any enforcement authority at this time.

Conclusion

The legislature has the authority to mandate assessment testing based on academic standards. However, the current standards may not be used for that purpose because they are unconstitutionally vague. This problem could be resolved by the State Board of Education by adopting standards that are not unconstitutionally vague. Although the Department cannot test on the four content standard regulations since they contain unconstitutionally vague language, we find no statutory language requiring that the standards be mandatory in order for the Department to implement the assessment testing. We do not consider rating school performance on the assessment testing to be a legal reward or sanction.

Sincerely,
DON STENBERG
Attorney General
(Signed) Charlotte R. Koranda
Assistant Attorney General

42-07-16

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1399. Placed on Select File as amended.
(E & R amendment, AM7237, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1213. Placed on Select File as amended.
(E & R amendment, AM7239, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 968. Placed on Select File as amended.
E & R amendment to LB 968:
AM7240

1. In the Standing Committee amendments, AM2432:
a. On page 5, line 11; and page 6, line 21, strike "1998" and insert "1999";
b. On page 39, line 8, after "to" insert "sections 19-924 to 19-933,"; and in line 10 strike "Chapter 18, article 13," and show as stricken;
c. On page 52, line 24, strike the comma;
d. On page 53, line 21, after "penalties" insert an underscored comma;
e. On page 54, line 2, strike "effect" and insert "affect";
f. On page 55, line 14, after the second comma insert "a";
g. On page 58, lines 13 and 19, after "penalty" insert an underscored comma;
h. On page 70, line 12, after "or" insert "the"; and
i. On page 73, line 9, strike "23-3202,"; in line 10 strike "35-1303,"; in line 11 after the last comma insert "23-3202, 35-1303,"; and in line 19 strike "Reissue Revised Statutes of Nebraska" and insert "Revised Statutes Supplement, 1998".

2. On page 1, strike lines 2 through 12 and insert "23-355.01, 57-239, 60-106, 76-214, 77-115, 77-609, 77-1210, 77-1331, 77-1332, 77-1343, 77-1346 to 77-1348, 77-1371, 77-1704, 77-1705, 77-1721, 77-1738, 77-1739, 77-1801, 77-1862, 77-4105,

79-1081, 79-1082, and 84-1411, Reissue Revised Statutes of Nebraska, sections 30-2467, 30-2469, 77-112, 77-202.05, 77-623, 77-801, 77-801.01, 77-802.01, 77-802.02, 77-1229, 77-1249, 77-1344, 77-1345, 77-1381, 77-1716 to 77-1718, and 77-5023, Revised Statutes Supplement, 1998, sections 13-503, 23-3202, 35-1303, 51-805, 77-101, 77-202.03, 77-202.11, 77-202.12, 77-421, 77-684, 77-1233.04, 77-1514, 77-1701, 79-1016, and 79-1072.04, Revised Statutes Supplement, 1999, and Laws 1999, LB 271, section 10; to change provisions relating to budgets, estates, tax levies, tax valuation, tax assessment, payment and collection of taxes, joint public agencies, and school finance; to change the operative date of changes made by Laws 1999, LB 271; to eliminate definitions and tax collection provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-110, 77-210, 77-1213, and 77-1333, Reissue Revised Statutes of Nebraska, and section 77-398, Revised Statutes Supplement, 1998; and to declare an emergency.".

LEGISLATIVE BILL 1363. Placed on Select File as amended.
E & R amendment to LB 1363:
AM7242

1. In the Kiel amendment, AM2856, on page 1, line 2, strike "Mexican-Americans Commission" and insert "Commission on Mexican-Americans".

2. On page 1, line 1, after "force" insert "and a cash fund".

3. On page 2, lines 6 and 12; and page 4, lines 4 and 12, strike "Mexican-American Commission" and insert "Commission on Mexican-Americans".

LEGISLATIVE BILL 1363A. Placed on Select File.

Correctly Reengrossed

The following bill was correctly reengrossed: LB 1135.

Correctly Engrossed

The following bills were correctly engrossed: LBs 213, 929, 1253, 1352, and 1401A.

Enrollment and Review Change to LB 929

The following changes, required to be reported for publication in the Journal, have been made:
ER9135

1. In the Landis amendment, AM2477, on page 31, line 25, "subsection" has been struck and "subdivision" inserted.

2. On page 5, line 3; and page 10, lines 17 and 18, "effective date of this

act" has been struck and "operative date of this section" inserted.

Enrollment and Review Change to LB 1135
(Final Reading copy)

The following changes, required to be reported for publication in the Journal, have been made:
ER9131

1. On page 1, the matter beginning with the first "and" in line 10 through the first "change" in line 11 has been struck and "committees, and councils and a task force; to create" inserted.
2. On page 25, line 3, "a" has been inserted after "or".
3. On page 36, line 7, an underscored comma has been inserted after "donor" and "for" has been inserted after the first "or".

Enrollment and Review Change to LB 1253

The following changes, required to be reported for publication in the Journal, have been made:
ER9134

1. In the E & R amendments, AM7230, on page 2, lines 8 and 9, "surgery" has been struck and "surgical" inserted.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1092A. Title read. Considered.

Advanced to E & R for review with 27 ayes, 0 nays, 11 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1348A. Title read. Considered.

Advanced to E & R for review with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 1427A. Title read. Considered.

Advanced to E & R for review with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 1124. Title read. Considered.

The Standing Committee amendment, AM2845, found on page 1071, was considered.

PRESIDENT MAURSTAD PRESIDING

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

ANNOUNCEMENT

The Chair announced today is Senator Schimek's birthday.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 317, 318, 319, 321, 322, 323, 324, 325, 326, and 327 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 317, 318, 319, 321, 322, 323, 324, 325, 326, and 327.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 812:
AM2892

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. The State Board of Education shall formulate and adopt, as soon as possible, statewide academic content standards in the subject matter areas of reading and writing, mathematics, science, and social studies and history and shall assess or require the assessment of all students periodically on a systematic basis to determine to what extent such students have met the adopted standards. The assessment shall be a single customized assessment. Except as provided in subsection (3) of section 2 of this act, the results of such assessment shall be public and shall be reported by school districts on a by-building basis in a uniform format.

Sec. 2. (1) The purposes of the assessment and report under section 1 of this act are to:

(a) Determine how well public schools are performing in terms of the learning of public school students related to the approved standards;

(b) Report the performance of public schools based upon the results of the assessment;

(c) Provide information for the public and policymakers on the performance of public schools; and

(d) Provide for the comparison of Nebraska public schools to their peers and to school systems of other states and other countries.

(2) The assessment and report shall include all public schools and all public school students. The State Board of Education shall adopt criteria for the inclusion of students with disabilities, students entering the school for the first time, and students with limited English proficiency.

(3) The assessment and report shall provide for the confidentiality of the individual students.

(4) The report shall contain the following notice: 'The assessment contained in this report measures only the success of the school district's students in meeting the State Board of Education's statewide academic content standards in the subject matter areas of reading and writing, mathematics, science, and social studies and history. The assessment does not reflect the school district's success in teaching other subjects or higher learning skills.'

Sec. 3. The State Board of Education shall adopt and promulgate (1) rules and regulations requiring all school districts in Nebraska to meet the standards formulated and adopted by the board pursuant to section 1 of this act and (2) rules and regulations necessary to implement sections 1 and 2 of this act.".

Senator Landis filed the following amendment to LB 968:
AM2847

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new sections:

"Sec. 2. Section 18-2601, Reissue Revised Statutes of Nebraska, is amended to read:

18-2601. Sections 18-2601 to 18-2608 and section 8 of this act shall be known and may be cited as the Municipal Infrastructure Redevelopment Fund Act.

Sec. 3. Section 18-2602, Reissue Revised Statutes of Nebraska, is amended to read:

18-2602. The Legislature finds that the municipalities of the state face an urgent need to construct, upgrade, and develop municipal infrastructure facilities. By providing basic public facilities, the municipalities of the state provide the building blocks for economic development. Not only does the investment in infrastructure generate an immediate stream of economic activity, it also lays the groundwork for private investment that will use the facilities so provided. Municipalities in the state currently are in critical need of assistance in providing these facilities.

The Legislature determines that it is in the public interest to establish a Municipal Infrastructure Redevelopment Fund to provide funds to municipalities in the state to use to provide infrastructure facilities and to permit municipalities in the state to issue bonds secured by amounts payable from the Municipal Infrastructure Redevelopment Fund and other sources.

Sec. 4. Section 18-2603, Reissue Revised Statutes of Nebraska, is amended to read:

18-2603. For purposes of the Municipal Infrastructure Redevelopment Fund Act:

(1) Bond means any evidence of indebtedness, including, but not limited to, bonds, notes including notes issued pending long-term financing arrangements, warrants, debentures, obligations under a loan agreement or a lease-purchase agreement, or any similar instrument or obligation;

(2) Fund ~~shall mean~~ means the Municipal Infrastructure Redevelopment Fund;

~~(2)~~ (3) Infrastructure project ~~shall mean~~ means any of the following projects, or any combination thereof, to be owned or operated by a municipality: Solid waste management facilities; wastewater, storm water, and water treatment works and systems, water distribution facilities, and water resources projects, including, but not limited to, pumping stations, transmission lines, and mains and their appurtenances; hazardous waste disposal systems; resource recovery systems; airports; port facilities; buildings and capital equipment used in the ~~operation~~ operations and activities of municipal government and to provide services to the residents of the municipality; convention and tourism facilities; redevelopment projects as defined in section 18-2103; and mass transit and other transportation systems, including parking facilities and excluding public highways and bridges and municipal roads, streets, and bridges;

~~(3)~~ (4) Municipal allocation amount ~~shall mean~~ means, for each municipality, the amount derived by multiplying the amount to be allocated by the fraction determined by dividing the total population of the municipality by the total population of the state living in municipalities, each as determined by the most recent federal census figures certified by the Tax Commissioner as provided in section 77-3,119; and

~~(4)~~ (5) Municipality ~~shall mean~~ means any city of any class or any village in the state.

Sec. 5. Section 18-2606, Reissue Revised Statutes of Nebraska, is amended to read:

18-2606. Money received by a municipality or credited to its account from the fund shall be used for one of the following purposes:

(1) To pay for the construction, acquisition, or equipping of infrastructure projects or portions thereof; or

(2) To pay principal, interest, premium, and costs of issuance on bonds ~~debt incurred or securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects or portions thereof.

Sec. 6. Section 18-2607, Reissue Revised Statutes of

Nebraska, is amended to read:

18-2607. Each municipality shall be permitted to pledge the amounts on deposit or to be deposited in its account of the fund, as and when appropriated by the Legislature, to the holders of any bonds ~~debt incurred or securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects as long as the lien of such pledge does not attach until funds are actually deposited into the municipality's account, and in no event shall such a pledge be construed as an obligation of the Legislature to appropriate such funds. Any such pledge shall be valid and binding from the time when the pledge is made. The money so pledged and thereafter received by the municipality or deposited into its respective account shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the municipality, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

Sec. 7. Section 18-2608, Reissue Revised Statutes of Nebraska, is amended to read:

18-2608. No ~~securities~~ bonds issued by any municipality ~~and pledging~~ which pledges funds to be deposited in its account of the fund shall constitute a debt, liability, or general obligation of this state or a pledge of the faith and credit of this state but shall be payable, to the extent payable from state revenue, solely from amounts credited to the accounts of the fund as provided by the Municipal Infrastructure Redevelopment Fund Act, as and when appropriated by the Legislature. Each ~~security~~ bond issued by any municipality ~~and pledging~~ which pledges funds to be deposited in its account of the fund shall contain on the face thereof a statement that neither the faith and credit nor the taxing power of this state is pledged to the payment of the principal of or the interest on such security.

Sec. 8. Any municipality may by ordinance issue bonds in one or more series for the construction or acquisition of an infrastructure project or any portion thereof and pay the principal of and interest on any such bonds by pledging funds received from the Municipal Infrastructure Redevelopment Fund. Such bonds shall have a final maturity not later than August 1, 2009, and the aggregate debt service payments and related expenses with respect to all series of such bonds for any twelve-month period during which such bonds are outstanding shall not exceed the anticipated receipts from the fund by such municipality. For purposes of this section, anticipated receipts means the amount received by the municipality from the fund for the twelve-month period immediately preceding the date of issuance of such bonds.

Any municipality which has or may issue bonds under this section may dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under the bonds, but only to the extent the receipts from the fund pledged to the payment of such bonds and any other money made available and used for that purpose are insufficient to pay the principal of and interest on such bonds as they mature.

Sec. 26. Section 77-3,119, Revised Statutes Supplement, 1998, is amended to read:

77-3,119. (1) The Tax Commissioner shall certify the population of cities and villages to be used for purposes of calculations made pursuant to subdivision ~~(3)~~ (4) of section 18-2603, subdivisions (3)(a) and (b) of section 35-1205, subdivision (1) of section 39-2517, and sections 39-2513 and 77-27,137.01. The Tax Commissioner shall transmit copies of such certification to all interested parties upon request.

(2) The Tax Commissioner shall certify the population of each city and village based upon the most recent federal census. The Tax Commissioner shall determine the most recent federal census for each city and village by using the most recent federal census figures available from (a) the most recent federal decennial census, (b) the most recent federal census update or recount certified by the United States Bureau of the Census, or (c) the most recent federal census figure of the city or village plus the population of territory annexed as calculated in sections 18-1753 and 18-1754.

(3) The Tax Commissioner may adopt and promulgate rules and regulations to carry out this section.".

2. Correct the operative date section and repealer so that the sections added by this amendment become operative on their effective date with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

Senator Landis filed the following amendment to LB 1405:
AM2939

1. Strike section 6.

STANDING COMMITTEE REPORT
Urban Affairs

LEGISLATIVE BILL 739. Placed on General File as amended.
(Standing Committee amendment, AM2849, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) D. Paul Hartnett, Chairperson

GENERAL FILE

LEGISLATIVE BILL 936. Title read. Considered.

The Standing Committee amendment, AM2736, printed separately and referred to on page 1025, was considered.

Senator Matzke renewed his pending amendment, AM2911, found on page 1143, to the Standing Committee amendment.

Senators Janssen and Bohlke asked unanimous consent to be excused until they return. No objections. So ordered.

The Matzke amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Senator Beutler offered the following amendment to the Standing Committee amendment:
FA335
Amend AM2736
On lines 22 and 23 of page 16 strike the phrase "without further authorization of the legislature"
On line 21, page 16 strike "filed" and insert "approved"
On line 24, page 16 strike "approved"

Pending.

AMENDMENTS - Print in Journal

Senators Bromm and Crosby filed the following amendment to LB 968:
AM2910

(Amendments to AM2432)

1. Strike sections 44 to 46.
2. On page 58, line 7, strike "in full".
3. On page 73, line 1, after the first comma insert "and" and strike "77-1704, and 77-1705,".
4. Renumber the remaining sections and correct internal references accordingly.

Senator Kiel filed the following amendment to LB 1405:
AM2940

1. Strike section 5.
2. Renumber the remaining section accordingly.

Senator Kiel filed the following amendment to LB 1405:
AM2938

1. On page 2, line 10, strike the first "or" and insert a comma; and in line 11 after "tissue" insert ", or use of pharmaceuticals, including vaccines, that were developed from

research utilizing aborted fetal tissue".

Senator Bohlke filed the following amendment to LB 1405:
AM2941
1. Insert the following new section:
"Sec. 7. Since an emergency exists, this act takes effect when passed and approved according to law.".

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 825A. Introduced by Price, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 825, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

LEGISLATIVE BILL 1167A. Introduced by Thompson, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1167, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

MOTION - Place LB 1405 on General File

Senators Brashear and Hilgert renewed their pending motion, found on page 1053, to place LB 1405 on General File pursuant to Rule 3, Section 19(b).

Senator Price asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Quandahl moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 8 nays, and 13 not voting.

Senator Brashear moved for a call of the house. The motion prevailed with 43 ayes, 0 nays, and 6 not voting.

Senator Bruning requested a roll call vote on the motion to place LB 1405 on General File.

Voting in the affirmative, 28:

Aguilar	Baker	Brashear	Bromm	Bruning
Byars	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Jensen	Jones	Kremer	Kristensen	Pedersen, Dw.
Preister	Quandahl	Redfield	Schrock	Smith

Stuhr Tyson Vrtiska

Voting in the negative, 17:

Beutler Bohlke Bourne Brown Chambers
Connealy Janssen Kiel Landis Lynch
Pederson, D. Raikes Robak Schimek Suttle
Thompson Wehrbein

Present and not voting, 2:

Matzke Schmitt

Excused and not voting, 2:

Price Wickersham

The Brashear-Hilgert motion to place LB 1405 on General File prevailed with 28 ayes, 17 nays, 2 present and not voting, and 2 excused and not voting.

AMENDMENT - Print in Journal

Senator Kristensen filed the following amendment to LB 968:
AM2776
(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new section:
"Sec. 19. Any person who is leasing commercial or residential land upon which the person has placed improvements from a political subdivision, other than a school district, or the state on the operative date of this section which will be subject to taxation under section 77-202.11 shall have the option to purchase the land before December 31, 2001. The lessee may purchase the land at the appraised value without the improvements.".

2. Correct the operative date section so that the section added by this amendment becomes operative on its effective date with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

STANDING COMMITTEE REPORT
Education

LEGISLATIVE BILL 1010. Placed on General File as amended.
Standing Committee amendment to LB 1010:
AM2876

1. Strike the original sections and insert the following new sections:
"Section 1. For purposes of sales of educational lands

at public auction, appraised value is the adjusted value as determined by the Property Tax Administrator or his or her representative (1) for agricultural and horticultural land, multiplied by one and twenty-five hundredths or (2) for all other classes of real property, multiplied by one, unless the Board of Educational Lands and Funds determines that an appraisal should be conducted by an independent registered, licensed, certified residential, or certified general real estate appraiser. If the appraisal results in a different value, the different value shall be the appraised value.

Sec. 2. Section 72-240.26, Reissue Revised Statutes of Nebraska, is amended to read:

72-240.26. The board and the Nebraska Investment Council shall jointly report annually to the Clerk of the Legislature, and such report shall contain anticipated future actions by the board as well as actions already taken. The board's portion of the report shall include, with reference to each tract of land sold pursuant to section 72-201.01: (1) The legal description; (2) the unique characteristics of the land being sold; (3) the appraised value; (4) the sale price; (5) the amount of funds received in the calendar year covered by the report from the sale; (6) the disposition of the funds; (7) the total number of acres of any unsold educational lands remaining under the general management and control of the board by county; ~~and~~ (8) the total appraised value of unsold land; (9) the percentage of the investment portfolio remaining in real estate, including all nonagricultural real estate; and (10) the corresponding information for any land that has been acquired or traded. The council's portion of the report shall include a cost-benefit analysis which considers the land being sold versus the anticipated investment potential of proceeds resulting from the sale. The cost-benefit analysis model used shall be consistent with the standards of the investment industry at the time of the proposed sale. Each member of the Legislature shall receive a copy of such report by making a request for it to the chairperson of the board.

Sec. 3. Section 72-257, Reissue Revised Statutes of Nebraska, is amended to read:

72-257. All lands, now owned or hereafter acquired by the state for educational purposes, may be sold at the expiration of the present leases. The Board of Educational Lands and Funds shall retain all mineral rights in the land sold. Prior to such sale, the land ~~shall~~ may be appraised for sale purposes in the same manner as privately owned land by a representative appointed by the Board of Educational Lands and Funds, and thereafter shall be sold at public sale at not less than the appraised value. When ~~;~~ ~~PROVIDED, that when~~ two or more contiguous tracts are under separate leases with different expiration dates, the board may, if it is deemed to be in the best interest of the state, defer the sale of any tract having an earlier lease expiration date~~,~~ and may offer the tract for lease for less than twelve years to coincide with the expiring lease of the contiguous tract, in order that the contiguous lands may eventually be offered for sale on the same date.

Sec. 4. Section 72-258, Reissue Revised Statutes of Nebraska, is amended to read:

72-258. Educational land shall be offered for sale at public auction by a representative of the Board of Educational Lands and Funds and sold at not less than ~~either~~ the appraised value ~~or the fair market value~~ to the highest bidder. ~~The appraised value for sales purposes shall be the starting bid price.~~ Notice of such sale and the time and place where the same will be held shall be given by publication three consecutive weeks in some legal newspaper published in the county where the tracts of land or the lots are located or, in case no legal newspaper is published in the county, then in some legal newspaper of general circulation therein. The proof of such publication shall be made by the affidavit of the publisher or principal clerk of such newspaper or by some other person knowing about the same and shall be filed in the office of the board. When the land consists of an undivided interest in realty, an action to partition may be maintained in the same manner as provided by law for the partition of real property among several joint owners. All notices of sale shall be posted in the office of the board. The board may arrange for such commercial advertising of land sales as it deems in the best interest of the state. Any person or entity requesting that a tract of land be sold at public auction shall file an agreement with the board to pay the appraised value or a higher value as a minimum opening bid for the land. Within sixty days after receipt by the board of the request, the board shall determine whether or not to offer the tract of land for sale at public auction with a minimum opening bid equal to that amount stated in the accepted agreement for the opening bid and shall notify the person or entity requesting the auction of the board's determination prior to advertising the tract of land for sale. If the board determines to offer the tract of land for sale at public auction, the auction shall be held within one hundred twenty days after the board accepts the agreement for a minimum bid. If the board determines not to offer the tract of land for sale, the offering price and legal description of the tract of land shall be included in an annual report to the Legislature. The sale shall be subject to confirmation by the board that the requirements of this section have been met. Settlement shall be made by paying cash of not less than twenty percent of the purchase price at the time of sale, and the balance shall be payable in cash within ninety days after the date of sale. If the person submitting the high bid for the land fails to pay the balance of the purchase price and complete the sale within ninety days, his or her rights under the sale, including the twenty percent downpayment, shall be forfeited by the board and a new sale shall be authorized.

Sec. 5. Section 72-258.02, Reissue Revised Statutes of Nebraska, is amended to read:

72-258.02. Whenever a portion of the National System of Interstate and Defense Highways is constructed on school land and an interchange is constructed on such school land, the Board of Educational Lands and Funds shall ~~appraise such land and~~ offer it for sale at public auction in such tracts as the board shall determine~~,~~ and sell it at not less than its appraised value. The sale shall be made subject to the rights of leaseholders, if any, and the leaseholder shall be paid for improvements and the value of the leasehold for agricultural purposes. The sale shall be made in accordance with the provisions of section 72-258.

Sec. 6. Original sections 72-240.26, 72-257, 72-258, and 72-258.02, Reissue Revised Statutes of Nebraska, are repealed.".

(Signed) Ardyce L. Bohlke, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 352. Placed on Select File as amended.
(E & R amendment, AM7241, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1092A. Placed on Select File.
LEGISLATIVE BILL 1348A. Placed on Select File.
LEGISLATIVE BILL 1427A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following appointment:

Fredrickson, Marilee - Accountability and Disclosure Commission -- Government, Military and Veterans Affairs

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

VISITORS

Visitors to the Chamber were 25 students and teachers from Adams Middle School, North Platte; and 13 students and teachers from Bancroft Elementary School, Omaha.

RECESS

At 12:02 p.m., on a motion by Senator Smith, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke, Bromm, Brown, Dierks, Engel, Hilgert, Janssen, Jones, Kiel, Kristensen, Landis, Lynch, Price, Robak, Schmitt, Schrock, Stuhr, Tyson, and Wickersham who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1448. E & R amendment, AM7236, found on page 1123, was adopted.

Senator Vrtiska offered the following amendment:
AM2949

(Amendments to E & R amendments, AM7236)

1. On page 1, strike lines 11 through 14.
2. On page 3, line 8, strike "275,086.77" and insert "271,136.77"; and in line 10 strike "298,286.77" and insert "294,336.77".

The Vrtiska amendment was adopted with 25 ayes, 0 nays, 8 present and not voting, and 16 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1214. E & R amendment, AM7231, found on page 1067, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1214A. Advanced to E & R for engrossment.
LEGISLATIVE BILL 1215. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1216. E & R amendment, AM7232, found on page 1067, was adopted.

Senator Wehrbein offered the following amendment:
AM2810

(Amendments to Standing Committee amendments, AM2688)

1. On page 1, line 3, strike "Procurement" and insert

"Purchasing"; and in lines 4, 6, 8, 14, 19, 20, 21, and 22 strike "procurement" and insert "purchasing".

2. On page 2, lines 5, 15, and 16, strike "procurement" and insert "purchasing".

The Wehrbein amendment was adopted with 27 ayes, 0 nays, 11 present and not voting, and 11 excused and not voting.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Coordsen offered the following amendment:
AM2889

1. Insert the following new section:

"Sec. 7. Section 13-2305, Reissue Revised Statutes of Nebraska, is amended to read:

13-2305. The Nebraska Local Government Innovation and Restructuring Fund is hereby created. The fund shall be used to carry out the purposes of sections 13-2301 to 13-2306. The fund shall be administered by the Department of Administrative Services and shall receive funds pursuant to sections 77-912 and 77-913. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

On June 30, 2000, any unobligated, unexpended balance existing in the Nebraska Local Government Innovation and Restructuring Fund shall be transferred to the Department of Administrative Services Cash Fund.".

2. On page 32, line 13, after "sections" insert "13-2305,".

3. Renumber the remaining sections accordingly.

The Coordsen amendment was adopted with 27 ayes, 0 nays, 11 present and not voting, and 11 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1217. E & R amendment, AM7234, printed separately and referred to on page 1104, was adopted.

Senator Brashear withdrew his amendment, AM2803, found on page 1053.

Senator Tyson asked unanimous consent to replace his pending amendment, AM2804, found on page 1069, with a substitute amendment. No objections. So ordered.

Senator Tyson withdrew his amendment, AM2804, found on page 1069.

Senator Tyson offered the following substitute amendment:

AM2935

(Amendments to E & R amendments, AM7234)

1. Insert the following new section:

"Sec. 27. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 973 - Improvements to Fish Production Facilities

	FY1999-00	FY2000-01
CASH FUND	200,000	-0-
PROGRAM TOTAL	200,000	-0-

There is included in the appropriation to this program for FY1999-00 $200,000 Cash Funds for the acquisition of rivers and streams.

The June 30, 1999, reappropriated Cash Fund balance for reservoir construction is hereby reduced by $200,000.".

2. Renumber the remaining sections accordingly.

The Tyson amendment was adopted with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

Senator Chambers withdrew his amendment, FA320, found on page 1049.

Senator Chambers asked unanimous consent to replace his pending amendment, FA321, found on page 1049, with a substitute amendment. No objections. So ordered.

Senator Chambers withdrew his amendment, FA321, found on page 1049.

Senator Chambers offered the following substitute amendment:
AM2937

(Amendments to E & R amendments, AM7234)

1. On page 16, line 17, strike "176,814" and insert "-0-"; in line 18 strike "158,466" and insert "-0-"; in line 19 strike "335,280" and insert "-0-"; and in line 25 strike "233,430" and insert "-0-".

Senator Chambers moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

SENATOR CROSBY PRESIDING

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 20:

Aguilar	Baker	Brashear	Chambers	Connealy
Coordsen	Cudaback	Hartnett	Hilgert	Janssen
Kremer	Kristensen	Landis	Raikes	Redfield
Robak	Schimek	Suttle	Tyson	Vrtiska

Voting in the negative, 16:

Bromm Brown Bruning Byars Crosby
Dickey Dierks Hudkins Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Schrock Smith
Wehrbein

Present and not voting, 10:

Beutler Bohlke Bourne Jensen Jones
Kiel Quandahl Schmitt Stuhr Thompson

Excused and not voting, 3:

Engel Price Wickersham

The Chambers amendment lost with 20 ayes, 16 nays, 10 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Redfield asked unanimous consent to be excused. No objections. So ordered.

Senator Raikes offered the following amendment:
AM2964
(Amendments to E & R amendments, AM7234)

1. Strike section 107 and insert the following new section:

"Sec. 59. AGENCY NO. 96 -- DEPARTMENT OF PROPERTY TAX ASSESSMENT AND TAXATION

Program No. 132 - Relief to Taxpayers

	FY1999-00	FY2000-01
CASH FUND	-0-	10,000,000
PROGRAM TOTAL	-0-	10,000,000
SALARY LIMIT	-0-	-0-

2. On page 110, line 27, strike "and" and show as stricken.

3. On page 111, line 3, after "2001" insert ";

(u) From the General Fund (1000) to the Relief to Property Taxpayers Cash Fund (2961): $10,000,000 on August 16, 2000; and

(v) From the General Fund (1000) to the Cash Reserve Fund (1100): $20,000,000 during FY2000-01"; and in lines 10 and 18 strike "242,".

4. Renumber the remaining sections accordingly.

The Raikes amendment lost with 5 ayes, 22 nays, 20 present and not voting, and 2 excused and not voting.

Pending.

NOTICE OF COMMITTEE HEARINGS

Education

Thursday, March 30, 2000 1:30 p.m.
Coordinating Commission for Postsecondary Education
  Earl Scudder

(Signed) Ardyce L. Bohlke, Chairperson

Health and Human Services

Tuesday, March 28, 2000 1:15 p.m.
Board of Emergency Medical Services
  Robert Olson
Commission for the Deaf and Hard of Hearing
  Margaret Coleman
  Esther Seanor
  Tricia Tighe
Excellence in Healthcare Council
  John Klosterman
  Cordelia Okoye
Health and Human Services System Partnership Council
  Christopher Rodgers

(Signed) Jim Jensen, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1124A. Introduced by Coordsen, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1124, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

MESSAGE FROM THE GOVERNOR

March 21, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1125, 1190, 155e, 438, 921, 1018, 1192e, 930, 944e, 960, and 1317e were received in my office on March 16, 2000.

These bills were signed by me on March 21, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

AMENDMENTS - Print in Journal

Senator Dierks filed the following amendment to LB 1115:
AM2943

1. Insert the following sections:

"Sec. 22. Section 71-1,153, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,153. Sections 71-1,152.01 to 71-1,185 and section 24 of this act shall be known and may be cited as the Nebraska Veterinary Practice Act.

Sec. 23. Section 71-1,154, Revised Statutes Supplement, 1999, is amended to read:

71-1,154. When used in the Nebraska Veterinary Practice Act and elsewhere in the Uniform Licensing Law, unless the context otherwise requires:

(1) Animal shall mean any animal other than man and shall include birds, fish, and reptiles, wild or domestic, living or dead, except domestic poultry;

(2) Veterinary medicine and surgery shall include veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine;

(3) Practice of veterinary medicine and surgery shall mean:

(a) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions, including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique~~,~~ and the use of any manual or mechanical procedure for testing for pregnancy~~,~~ or for correcting sterility~~,~~ or infertility. The acts described in this subdivision shall not be done without a valid veterinarian-client-patient relationship;

(b) To ~~, or to~~ render advice or recommendation with regard to any ~~of the above~~ act described in subdivision (a) of this subdivision;

~~(b)~~ (c) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in subdivision (a) of this subdivision; and

~~(c)~~ (d) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in subdivision (a) of this subdivision;

(4) Veterinarian shall mean a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or its equivalent;

(5) Licensed veterinarian shall mean a person who is validly and currently licensed to practice veterinary medicine and surgery in this state;

(6) Veterinarian-client-patient relationship shall mean that:

(a) The veterinarian has assumed the responsibility for making clinical judgments regarding the health of the animal and the need for medical treatment, and the client has agreed to follow the veterinarian's instructions;

(b) The veterinarian has sufficient knowledge of the animal to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by virtue of an examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept; and

(c) The veterinarian is readily available or has arranged for emergency coverage and for followup evaluation in the event of adverse reactions or the failure of the treatment regimen;

(7) Accredited school of veterinary medicine within the meaning of the Nebraska Veterinary Practice Act shall mean:

(a) One approved by the department upon the recommendation of the board;

(b) A veterinary college or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent; and

(c) One that conforms to the standards required for accreditation by the American Veterinary Medical Association;

~~(7)~~ (8) Person shall mean any individual, firm, partnership, limited liability company, association, joint venture, cooperative and corporation, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of such person;

~~(8)~~ (9) Board shall mean the Board of Veterinary Medicine and Surgery; and

~~(9)~~ (10) Department shall mean the Department of Health and Human Services Regulation and Licensure.

Sec. 24. Unless required by any state or local law for contagious or infectious disease reporting or other public health and safety purpose, no veterinarian licensed under the Nebraska Veterinary Practice Act shall be required to disclose any information concerning the veterinarian's care of an animal except under a written authorization or other waiver by the veterinarian's client or pursuant to a court order or a subpoena. A veterinarian who releases information under a written authorization or other waiver by the client or pursuant to a court order or a subpoena is not liable to the client or any other person. The privilege provided by this section is waived to the extent that the veterinarian's client or the owner of the animal places the veterinarian's care and treatment of the animal or the nature and extent of injuries to the animal at issue in any civil or criminal proceeding. For purposes of this section, veterinarian includes the employees or agents of the licensed veterinarian while acting for or on behalf of such veterinarian.".

2. Amend the operative date and repealer provisions so that the sections added by this amendment become operative with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

Senators Dierks and Jensen filed the following amendment to LB 1115:
AM2953

1. Strike original section 22 and insert the following sections:

"Sec. 12. Section 71-112, Revised Statutes Supplement, 1999, is amended to read:

71-112. The professional boards provided in section 71-111 shall be designated as follows:

(1) For medicine and surgery and osteopathic medicine and surgery, Board of Medicine and Surgery;
(2) For athletic training, Board of Athletic Training;
(3) For respiratory care, Board of Respiratory Care Practice;
(4) For chiropractic, Board of Chiropractic;
(5) For dentistry and dental hygiene, Board of Dentistry;
(6) For optometry, Board of Optometry;
(7) For massage therapy, Board of Massage Therapy;
(8) For physical therapy, Board of Physical Therapy;
(9) For pharmacy, Board of Pharmacy;
(10) For audiology and speech-language pathology, Board of Audiology and Speech-Language Pathology;
(11) For medical nutrition therapy, Board of Medical Nutrition Therapy;
(12) For funeral directing and embalming, Board of Funeral Directing and Embalming;
(13) For podiatry, Board of Podiatry;
(14) For psychology, Board of Psychologists;
(15) For veterinary medicine and surgery, Board of Veterinary Medicine and Surgery; and
(16) For mental health practice, Board of Mental Health

Practice.

Any change made by the Legislature of the names of boards listed in this section shall not change the membership of such boards or affect the validity of any action taken by or the status of any action pending before any of such boards. Any such board newly named by the Legislature shall be the direct and only successor to the board as previously named.

Sec. 23. Section 71-1,152.01, Revised Statutes Supplement, 1999, is amended to read:

71-1,152.01. The purpose of the Board of Veterinary Medicine and Surgery is to: (1) Provide for the health, safety, and welfare of the citizens; (2) insure that veterinarians serving the public meet minimum standards of proficiency and competency; (3) insure that schools of veterinary medicine and surgery meet the educational needs of the students and qualify students to serve the public in a safe and efficient manner; and (4) control the field of veterinary medicine and surgery in the interest of consumer protection.

Sec. 24. Section 71-1,153, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,153. Sections 71-1,152.01 to ~~71-1,185~~ 71-1,163 and sections 26 and 27 of this act shall be known and may be cited as the Nebraska Veterinary Practice Act.

Sec. 25. Section 71-1,154, Revised Statutes Supplement, 1999, is amended to read:

71-1,154. When used in the Nebraska Veterinary Practice Act and elsewhere in the Uniform Licensing Law, unless the context otherwise requires:

(1) Animal ~~shall mean~~ means any animal other than man and ~~shall include~~ includes birds, fish, and reptiles, wild or domestic, living or dead, except domestic poultry;

(2) Veterinary medicine and surgery ~~shall include~~ includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine;

(3) Practice of veterinary medicine and surgery ~~shall mean~~ means:

(a) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions, including the prescription or administration of any drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique, and the use of any manual or mechanical procedure for testing for pregnancy~~,~~ or for correcting sterility~~,~~ or infertility, or to render advice or recommendation with regard to any of the above;

(b) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in subdivision (a) of this subdivision; and

(c) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is qualified to do any act described in subdivision (a) of this subdivision;

(4) Veterinarian ~~shall mean~~ means a person who has received a doctor's degree in veterinary medicine from an accredited school of veterinary medicine or its equivalent;

(5) Licensed veterinarian ~~shall mean~~ means a person who is validly and currently licensed to practice veterinary medicine and surgery in this state;

(6) Accredited school of veterinary medicine within the meaning of the Nebraska Veterinary Practice Act ~~shall mean~~ means:

(a) One approved by the department upon the recommendation of the board;

(b) A veterinary college or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent; and

(c) One that conforms to the standards required for accreditation by the American Veterinary Medical Association;

(7) Person ~~shall mean~~ means any individual, firm, partnership, limited liability company, association, joint venture, cooperative and corporation, or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, director, officer, or any other representative of such person;

(8) Board ~~shall mean~~ means the Board of Veterinary Medicine and Surgery; ~~and~~

(9) Department ~~shall mean~~ means the Department of Health and Human Services Regulation and Licensure;

(10) Veterinary technician means an individual who has met one of the requirements of subsection (1) of section 26 of this act;

(11) Licensed veterinary technician means a veterinary technician who is validly and currently licensed as a veterinary technician in this state. Only a licensed veterinary technician may advertise or offer his or her services in a manner calculated to lead others to believe that he or she is a veterinary technician;

(12) Unlicensed assistant means an individual who is not a veterinarian or a veterinary technician who is working in veterinary medicine;

(13) Supervisor means a licensed veterinarian or licensed veterinary technician as required by statute or rule or regulation for the particular delegated task being performed by a veterinary technician or unlicensed assistant;

(14) Immediate supervision means that the supervisor is on the premises and is in direct eyesight and hearing range of the animal and the veterinary technician or unlicensed assistant who is

treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task;

(15) Direct supervision means that the supervisor is on the premises and is available to the veterinary technician or unlicensed assistant who is treating the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task; and

(16) Indirect supervision means that the supervisor is not on the premises but is easily accessible and has given written or oral instructions for treatment of the animal and the animal has been examined by a veterinarian at such times as acceptable veterinary practice requires consistent with the particular delegated animal health care task.

Sec. 26. (1) To be a veterinary technician in this state, an individual shall meet one of the following requirements:

(a) Be a graduate of an American Veterinary Medical Association approved veterinary technician program and receive a passing score on the national exam for such program as determined by the board;

(b) On the operative date of this section, be an approved animal technician certified under sections 71-1,168 to 71-1,185 as such sections existed prior to such date; or

(c) Have at least five years or more full-time experience working with a veterinarian, be employed by a veterinarian on the operative date of this section, and within three years after such date receive a passing score on the national exam described in subdivision (1)(a) of this section as determined by the board.

(2) To keep the license active, a licensed veterinary technician shall earn credit for twenty-four hours of continuing education every three years as approved by the board.

Sec. 27. (1) The department shall adopt and promulgate rules and regulations providing for (a) licensure of veterinary technicians meeting the requirements of section 26 of this act and (b) standards for the level of supervision required for particular delegated animal health care tasks and which determine which tasks may be performed by a veterinary technician and by unlicensed assistants. The level of supervision may be immediate, direct, or indirect as determined by the department based upon the complexity and requirements of the task.

(2) The department shall establish and collect the following fees:

(a) For an initial application for licensure as a veterinarian technician, an amount not less than five dollars nor more than seventy-five dollars;

(b) For annual renewal of licensure as a veterinarian technician, an amount not less than five dollars nor more than forty dollars; and

(c) For a duplicate original license, ten dollars.

Sec. 28. Section 71-1,158, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,158. Any person desiring a license to practice veterinary medicine and surgery in this state shall make written application to the board. The application shall include:

(1) Proof ~~show~~ that the applicant is twenty-one years of age or more;

(2) Information indicating that the applicant is ~~, a graduate of an accredited veterinary school, and~~ a person of good moral character;

(3) Proof that the applicant is a graduate of an accredited school of veterinary medicine or holds a certificate issued by the American Veterinary Medical Association Education Commission for Foreign Veterinary Graduates indicating that the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine; and

(4) Such ~~and such~~ other information and proof as the board may require by rule and regulation. The application shall be accompanied by a fee of not less than seventy-five dollars nor more than two hundred dollars, the amount of such fee to be determined by a rule or regulation adopted and promulgated by the department with the approval of the board.

If the board determines that the applicant possesses the proper qualifications, the board shall admit the applicant to the next examination, or if the applicant is eligible for a license without examination under section 71-1,160, the board may forthwith recommend that he or she be issued a license. If an applicant is found not qualified to take the examination or for a license without examination, the board shall immediately notify the applicant in writing of such finding and the grounds therefor.

Sec. 29. Section 71-1,160, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,160. The board may direct the issuing of a license without a written examination to a qualified applicant who furnishes satisfactory proof required under subdivision (3) of section 71-1,158 ~~that he or she is a graduate of an accredited veterinary school~~ and who:

(1) Has for one year prior to filing his or her application been a practicing veterinarian licensed in a state, territory, or district of the United States having license requirements, at the time the applicant was first licensed, which were substantially equivalent to the requirements of the Nebraska Veterinary Practice Act; or

(2) Has prior to filing his or her application successfully completed and passed ~~the~~ an examination ~~conducted by the National Board of Veterinary Examiners~~ approved by the board.

At its discretion, the board may orally or practically examine any person qualifying for licensing under this section.

Sec. 30. Section 71-1,161, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,161. The board may recommend to the department the issuance of a temporary license to practice veterinary medicine and surgery upon receipt of a fee of fifty dollars and the completed application to (1) any person who has a current license to practice veterinary medicine and surgery in another state, territory, or district of the United States or (2) any person who ~~has graduated from an approved veterinary school~~ furnishes satisfactory proof required under subdivision (3) of section 71-1,158 and has passed an examination conducted by the National Board of Veterinary Examiners. Such temporary license shall be valid until the date on which the results of the next licensure examination are available to the department and it may not be renewed. The holder of a temporary license shall be entitled to practice veterinary medicine and surgery.

Sec. 89. The following sections are outright repealed: Sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.".

2. Amend the operative date and repealer provisions so that the sections added by this amendment become operative with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

Senator Chambers filed the following amendment to LB 973:
AM2962

1. Strike section 1 and insert the following new sections:

"Section 1. Section 53-123.12, Reissue Revised Statutes of Nebraska, is amended to read:

53-123.12. Any person desiring to obtain a new license to operate a farm winery shall:

(1) File an application with the commission in triplicate original upon such forms as the commission from time to time prescribes;

(2) Pay the license fee to the commission under subdivision (2) of section 53-124, which fee shall be returned to the applicant if the application is denied; and

(3) Pay the state registration fee to the commission in the sum of ~~thirty~~ forty-five dollars.

License fees and registration fees may be paid to the commission by certified or cashier's check of a bank within this state, personal or business check, United States post office money order, or cash in the full amount of such fees. The commission shall then notify, by registered or certified mail marked return receipt requested with postage prepaid, the municipal clerk of the city or incorporated village where such license is sought or, if the license is not sought within a city or incorporated village, the county clerk of the county where such license is sought of the receipt of the application and shall enclose with such notice one copy of the application. No such license shall then be issued by the commission until the expiration of at least forty-five days from the date of mailing such application by the commission. Within thirty-five days from the date of receipt of such application from the commission, the local governing bodies of nearby cities or villages or the county may make and submit to the commission recommendations relative to the granting of or refusal to grant such license to the applicant.

Sec. 2. Section 53-124.11, Reissue Revised Statutes of Nebraska, is amended to read:

53-124.11. (1) The commission may issue a special designated license for sale or consumption of alcoholic liquor at a designated location to a retail licensee, a craft brewery licensee, a municipal corporation, a fine arts museum incorporated as a nonprofit corporation, a religious nonprofit corporation which has been exempted from the payment of federal income taxes, a political organization which has been exempted from the payment of federal income taxes, or any other nonprofit corporation the purpose of which is fraternal, charitable, or public service and which has been exempted from the payment of federal income taxes, under conditions specified in this section. The applicant shall demonstrate meeting the requirements of this subsection.

(2) No retail licensee, craft brewery licensee, organization, or corporation enumerated in subsection (1) of this section may be issued a special designated license under this section for more than six calendar days in any one calendar year. Only one special designated license shall be required for any application for two or more consecutive days. This subsection shall not apply to any holder of a catering license.

(3) Except for any special designated license issued to a holder of a catering license, there shall be a fee of ~~twenty-five~~ forty dollars for each day identified in the special designated license. Such fee shall be submitted with the application for the special designated license, collected by the commission, and remitted to the State Treasurer for credit to the General Fund. The applicant shall be exempt from the provisions of the Nebraska Liquor Control Act requiring a registration fee and the provisions of the act requiring the expiration of forty-five days from the time the application is received by the commission prior to the issuance of a license, if granted by the commission. The retail licensees, craft brewery licensees, municipal corporations, organizations, and nonprofit corporations enumerated in subsection (1) of this section seeking a special designated license shall file

an application on such forms as the commission may prescribe. Such forms shall contain, along with other information as required by the commission, (a) the name of the applicant, (b) the premises for which a special designated license is requested, identified by street and number if practicable and, if not, by some other appropriate description which definitely locates the premises, (c) the name of the owner or lessee of the premises for which the special designated license is requested, (d) sufficient evidence that the holder of the special designated license, if issued, will carry on the activities and business authorized by the license for himself, herself, or itself and not as the agent of any other person, group, organization, or corporation, for profit or not for profit, (e) a statement of the type of activity to be carried on during the time period for which a special designated license is requested, and (f) sufficient evidence that the activity will be supervised by persons or managers who are agents of and directly responsible to the holder of the special designated license.

(4) No special designated license provided for by this section shall be issued by the commission without the approval of the local governing body. The local governing body may establish criteria for approving or denying a special designated license. The local governing body may designate an agent to determine whether a special designated license is to be approved or denied. Such agent shall follow criteria established by the local governing body in making his or her determination. The determination of the agent shall be considered the determination of the local governing body unless otherwise provided by the local governing body. For purposes of this section, the local governing body shall be the city or village within which the premises for which the special designated license is requested are located or, if such premises are not within the corporate limits of a city or village, then the local governing body shall be the county within which the premises for which the special designated license is requested are located.

(5) If the applicant meets the requirements of this section, a special designated license shall be granted and issued by the commission for use by the holder of the special designated license. All statutory provisions and rules and regulations of the commission that apply to a retail licensee shall apply to the holder of a special designated license with the exception of such statutory provisions and rules and regulations of the commission so designated by the commission and stated upon the issued special designated license, except that the commission may not designate exemption of sections 53-180 to 53-180.07. The decision of the commission shall be final. If the applicant does not qualify for a special designated license, the application shall be denied by the commission.

(6) A special designated license issued by the commission shall be mailed or delivered to the city, village, or county clerk who shall deliver such license to the licensee upon receipt of any

fee or tax imposed by such city, village, or county.

Sec. 3. Section 53-130, Reissue Revised Statutes of Nebraska, is amended to read:

53-130. New licenses to manufacturers, wholesalers, railroads, airlines, boats, and nonbeverage users of alcoholic liquor may be issued by the commission upon (1) written application in duplicate filed in the manner and on such forms as the commission prescribes and in which the applicant for a beer wholesale license sets forth the sales territory in Nebraska in which it is authorized by a manufacturer or manufacturers to sell their brand or brands and the name of such brand or brands, (2) receipt of bond, (3) payment in advance of the state registration fee of ~~thirty~~ forty-five dollars and the license fee, and (4) such notice and hearing as the commission fixes by its own order. A notice of such application shall be served upon the manufacturer or manufacturers listed in any application for a beer wholesale license and upon any existing wholesaler licensed to sell the brand or brands in the described sales territory. A license so issued may be renewed without formal application upon payment of license and registration fees. The payment of such fees shall be an affirmative representation and certification by the licensee that all answers contained in an application, if submitted, would be the same in all material respects as the answers contained in the last previous application. The commission may at any time require a licensee to submit an application.

Sec. 4. Section 53-131, Revised Statutes Supplement, 1999, is amended to read:

53-131. (1) Any person desiring to obtain a new license to sell alcoholic liquor at retail, a bottle club license, or a craft brewery license shall file with the commission:

(a) An application in triplicate original upon forms the commission prescribes;

(b) The license fee if under section 53-124 such fee is payable to the commission, which fee shall be returned to the applicant if the application is denied; and

(c) The state registration fee in the sum of ~~thirty~~ forty-five dollars.

(2) The commission shall notify, by registered or certified mail, return receipt requested with postage prepaid, the clerk of the city or village in which such license is sought or, if the license is not sought within a city or village, the county clerk of the county in which such license is sought, of the receipt of the application and shall enclose one copy of the application with the notice. No such license shall be issued or denied by the commission until the expiration of the time allowed for the receipt of a recommendation of denial or an objection requiring a hearing under subdivision (1)(a) or (b) of section 53-133. During the period of forty-five days after the date of receiving such application from the commission, the local governing body of such

city, village, or county may make and submit to the commission recommendations relative to the granting or refusal to grant such license to the applicant.

Sec. 5. Section 53-138.01, Reissue Revised Statutes of Nebraska, is amended to read:

53-138.01. The State Treasurer shall credit ~~twenty-five~~ forty dollars of each state registration fee to the General Fund and the remaining five dollars to the Nebraska Liquor Control Commission Rule and Regulation Cash Fund to be used for providing licensees with materials pursuant to section 53-117.05. All retail license fees received by the city or village treasurer, as the case may be, shall inure to the school fund of the district lying wholly or partially within the corporate limits of such city or village. The State Treasurer shall credit all license fees received by the commission for licenses issued pertaining to alcoholic liquor, including beer, to the temporary school fund to be used for the support of the common schools as provided in Article VII, section 5, of the Constitution of Nebraska. All retail license fees received by the county treasurer, as provided in section 53-124, shall be credited to the school fund of the county.

Sec. 6. Section 53-192, Reissue Revised Statutes of Nebraska, is amended to read:

53-192. ~~No~~ A person or common carrier shall not haul or transport alcoholic liquor, ~~except beer,~~ whether by boat, airplane, automobile, truck, ~~wagon,~~ or other conveyance, in or into this state, for sale, or for storage and sale in this state, upon which the required labeling or gauging fee, tax, duty, or license has not been paid. A person or common carrier shall not haul or transport alcoholic liquor, whether by boat, airplane, automobile, truck, or other conveyance, in or into this state for personal use, unless the required labeling or gauging fee, tax, duty, or license has been paid, either in this state or the state where such alcoholic liquor was purchased.".

2. On page 2, line 9, strike "section" and insert "sections 53-123.12, 53-124.11, 53-130, 53-138.01, and"; and in line 10 strike "is" and insert "and section 53-131, Revised Statutes Supplement, 1999, are".

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1124. Placed on Select File as amended.
E & R amendment to LB 1124:
AM7243

1. On page 1, strike beginning with "amend" in line 1 through line 9 and insert "create the Greenbelt Advisory Committee; to provide powers and duties; and to declare an emergency.".

Correctly Engrossed

The following bills were correctly engrossed: LBs 1004, 1085, 1197, 1436, and 1436A.

Enrollment and Review Change to LB 1004

The following changes, required to be reported for publication in the Journal, have been made:
ER9132

1. In the Bromm et al. amendment, AM2740, on page 1, line 1, the second "7" has been struck and "8" inserted.

2. In lieu of the Chambers amendment, FA312, in the Chambers-D. Pederson amendment, AM2582:

a. On page 1, line 23; page 3, line 2; page 4, line 14; page 8, line 4; page 14, line 7; page 15, line 20; and page 17, line 25, "or" has been inserted after the comma;

b. On page 2, the matter beginning with "or" in line 2 through the comma in line 6 has been struck;

c. On page 3, the matter beginning with "or" in line 5 through the comma in line 9 has been struck;

d. On page 4, lines 15 through 18, the new matter has been struck; in line 19 "or" has been struck and shown as stricken; in line 20 "(v)" has been struck and "(iv)" inserted; and in line 21"(iv)" has been struck and "(iii)" inserted;

e. On page 5, line 27, "or" has been inserted after the comma and the matter beginning with "under" through "enacted" has been struck;

f. On page 6, lines 1 through 5, the new matter has been struck; in line 5 "or" has been struck and shown as stricken; and in line 6 "(iv)" has been struck and "(iii)" inserted;

g. On page 7, line 11, "or" has been inserted after the first comma; and the new matter beginning with the comma in line 14 through the period in line 18 has been struck;

h. On page 8, the new matter beginning with the comma in line 8 through "section" in line 12 has been struck;

i. On page 11, line 15, "or" has been inserted before "(iii)"; and the new matter beginning with "or" in line 18 through the comma in line 22 has been struck;

j. On page 12, line 20, "or" has been inserted before "(iii)"; and the new matter beginning with "or" in line 23 through the comma in line 27 has been struck;

k. On page 14, the new matter beginning with the second "under" in line 7 through the comma in line 11 has been struck; in line 12 "or" has been struck and shown as stricken and the new matter has been struck; and in line 13 "(iv)" has been struck and "(iii)" inserted;

l. On page 15, the matter beginning with the second "under" in line 20 through the comma in line 24 has been struck; in line 25 "or" has been struck and shown as stricken and the new matter has been struck; and in line 26 "(iv)" has been struck and "(iii)" inserted;

m. On page 17, line 5, "or" has been inserted after the first comma; and the matter beginning with the comma in line 8 through the period in line 12 has been struck; and

n. On page 18, the matter beginning with the first comma in line 2 through "state" in line 6 has been struck.

3. On page 1, line 4, "to change penalty provisions;" has been inserted after the semicolon.

Enrollment and Review Change to LB 1436

The following changes, required to be reported for publication in the Journal, have been made:

ER9133

1. On page 1, the matter beginning with "section" in line 1 through line 6 has been struck and "sections 71-7608 and 71-7614, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Health Care Trust Fund Act; to establish the Teen Tobacco Education and Prevention Project; to create a committee and a fund; to provide and change duties; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

(Signed) Adrian M. Smith, Chairperson

SELECT FILE

LEGISLATIVE BILL 1217. Senators Schimek and Hilgert offered the following amendment:

AM2972

(Amendments to E & R amendments, AM7234)

1. Insert the following new sections:

"Sec. 21. AGENCY NO. 26 -- DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT

Program No. 347 - Public Assistance

	FY1999-00	FY2000-01
GENERAL FUND	-0-	1,939,488
PROGRAM TOTAL	-0-	1,939,488
SALARY LIMIT	-0-	-0-

It is the intent of the Legislature to increase rates under the Aid to Aged, Blind, and Disabled Program for individuals living in licensed or certified alternate living facilities.

Sec. 23. AGENCY NO. 26 -- DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT

Program No. 348 - Medical Assistance

	FY1999-00	FY2000-01
GENERAL FUND	-0-	588,682
FEDERAL FUND est.	-0-	883,022
PROGRAM TOTAL	-0-	1,471,704
SALARY LIMIT	-0-	-0-

It is the intent of the Legislature to increase rates under the Aid to Aged, Blind, and Disabled Program for individuals living in licensed or certified alternate living facilities.".

2. Renumber the remaining sections accordingly.

Senator Schimek withdrew the Schimek-Hilgert amendment.

Senator Bromm offered the following amendment:
AM2983

(Amendments to E & R amendments, AM7234)

1. Insert the following new section:

"Sec. 17. AGENCY NO. 22 -- DEPARTMENT OF INSURANCE

(1) The Legislature finds that:

(a) The state and political subdivisions are challenged with limited resources for all services;

(b) Costs to provide health insurance to employees have risen sharply, particularly during the last year; and

(c) A need exists to explore all opportunities for government to seek efficiencies in providing quality, affordable health insurance to its employees.

(2) The Task Force to Explore Health Insurance Opportunities is created. The Governor shall appoint twenty members to the task force by June 1, 2000. The task force shall examine the various means by which the state, the University of Nebraska, state colleges, community colleges, and other political subdivisions provide health insurance to their employees. The task force shall develop possible alternatives and opportunities to providing health insurance to employees and identify the advantages and disadvantages to each alternative provided. The task force shall complete its work and issue a final report to the Governor and each member of the Legislature outlining its findings and recommendations for the providing of health insurance to employees by December 15, 2000.

(3) The Department of Insurance shall provide staff support to the task force.

(4) Members of the task force shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.".

2. Renumber the remaining sections accordingly.

Senator Kremer asked unanimous consent to be excused. No objections. So ordered.

The Bromm amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Pending.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 936:
FA336
Amend AM2736
On lines 22 and 23 of page 16, strike the phrase "without further authorization of the legislature"

Senator Brashear filed the following amendment to LB 628:
AM2923

(Amendments to E & R amendments, AM7223)

1. On page 3, lines 10 and 16, strike "three" and insert "four".

Senator Crosby filed the following amendment to LB 352A:
AM2931

1. On page 2, line 1, strike "$457,515" and insert "$465,773"; in line 3 strike "$2,786,077" and insert "$2,819,110"; in line 4 strike "$463,281" and insert "$469,878"; in line 6 strike "$2,822,708" and insert "$2,849,094"; and strike line 12 and insert "exceed $1,507,341 for FY2000-01 or $1,507,811 for FY2001-02.".

Senators Chambers and Beutler filed the following amendment to LB 1363:
AM2981

1. Insert the following new section:

"Sec. 4. (1) The position of Meatpacking Industry Worker Rights Coordinator is established within the Department of Labor. The Coordinator shall be appointed by the Governor.

(2) The duties of the Meatpacking Industry Worker Rights Coordinator shall be to inspect and review the practices and procedures of meatpacking operations in the State of Nebraska as they relate to the provisions of the Governor's Nebraska Meatpacking Industry Workers Bill of Rights, which rights are outlined as follows:

(a) The right to organize;
(b) The right to a safe workplace;
(c) The right to adequate facilities and the opportunity to use them;
(d) The right to complete information;
(e) The right to understand the information provided;
(f) The right to existing state and federal benefits and rights;
(g) The right to be free from discrimination;
(h) The right to continuing training including supervisor's training;
(i) The right to compensation for work performed; and
(j) The right to seek state help.

(3) The coordinator and his or her designated representatives shall have access to all meatpacking operations in

the State of Nebraska at any time meatpacking products are being processed and industry workers are on the job.

(4) Necessary office space, furniture, equipment, and supplies as well as necessary assistance for the coordinator shall be provided by the department.

(5) Preference shall be given to applicants for the coordinator position who are fluent in the Spanish language.

(6) The coordinator shall annually, on or before December 1, submit a report to the members of the Legislature and the Governor regarding any recommended actions the coordinator deems necessary or appropriate to provide for the fair treatment of workers in the meatpacking industry.

(7) For purposes of this section:

(a) Meatpacking operations means a business in which slaughtering, butchering, meat canning, meat packing, meat manufacturing, poultry canning, poultry packing, poultry manufacturing, pet feed manufacturing, processing of meatpacking products, or rendering is carried on; and

(b) Meatpacking products include livestock products and poultry products as such terms are defined in section 54-1902.

(8) This section terminates on June 30, 2004.".

RESOLUTION

LEGISLATIVE RESOLUTION 333. Introduced by Quandahl, 31; Jensen, 20; Schimek, 27.

PURPOSE: To conduct an interim study of the need for clear statutory authority for additional construction delivery systems for public schools. The study may include a review of, but need not be limited to, "design-build" and "construction-management-at-risk" as methods of construction delivery which may be used as alternatives to the traditional "design-bid-build" system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 1217. Senator Coordsen offered the following amendment:
AM2976

(Amendments to E & R amendments, AM7234)

1. Insert the following new sections:

"Sec. 45. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 901 - State Capitol Improvements

	FY1999-00	FY2000-01
NEBRASKA CAPITAL CONSTRUCTION FUND	878,000	-0-
PROGRAM TOTAL	878,000	-0-

Utilizing the amount appropriated from the Department of Administrative Services Cash Fund in section 101 of this act and the amount appropriated in this section, the Department of Administrative Services is hereby authorized to undertake renovations and other improvements of interior space located on the tower floors of the State Capitol.

Sec. 101. Laws 1999, LB 880, section 191, is amended to read:

Sec. 191. AGENCY NO. 65 -- DEPARTMENT OF ADMINISTRATIVE SERVICES

Program No. 105 - Local Government Innovation

	FY1999-00	FY2000-01
CASH FUND	203,113	-0-
PROGRAM TOTAL	203,113	-0-
SALARY LIMIT	51,385	-0-

The unobligated, unexpended Cash Fund balance existing on June 30, 2000, shall be ~~lapsed~~ transferred to the Department of Administrative Services Cash Fund and such amount is hereby appropriated to the Department of Administrative Services for Program 901 for FY2000-01. ~~by the budget division of the Department of Administrative Services.~~ Utilizing such amount appropriated from the Department of Administrative Services Cash Fund and the amount appropriated from the Nebraska Capital Construction Fund in section 45 of this act, the Department of Administrative Services is hereby authorized to undertake renovations and other improvements of interior space located on the tower floors of the State Capitol.".

2. On page 111, line 9, after "160," insert "191,".

3. Renumber the remaining sections accordingly.

SENATOR CUDABACK PRESIDING

The Coordsen amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

Senator Chambers offered the following amendment:
AM2982

(Amendments to E & R amendments, AM7234)

1. On page 75, after line 20, insert the following:

"There is included in the appropriation to this program for FY2000-01 $3,600,000 for the recruitment, development, and retention of minority and women faculty members in all areas of academic pursuit.

It is further intended that the Legislature study the issue of recruitment, development, and retention of minority and women faculty members at the University of Nebraska. The study shall include, but not be limited to, the progress made to date and the specific steps to be taken by the University to reach the goals as outlined in its five-year plan as submitted to the Legislature. It is intended that the study be completed prior to January 1, 2001.".

Senator Kristensen offered the following amendment to the Chambers pending amendment:
FA337
Amend AM2982
On line 3 strike $3,600,000 and insert $1,500,000.

Senators Lynch and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR COORDSEN PRESIDING

Senator Cudaback asked unanimous consent to be excused. No objections. So ordered.

Senator Kristensen requested to pass over LB 1217.

LEGISLATIVE BILL 1349. E & R amendment, AM7235, printed separately and referred to on page 1104, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1369. Advanced to E & R for engrossment.
LEGISLATIVE BILL 1328. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1379. Senator Beutler offered the following amendment:
AM2955

1. Strike the original sections and all amendments thereto and insert the following sections:

"Section 1. Sections 1 to 6 of this act shall be known and may be cited as the Minority Scholarship Program Act.

Sec. 2. (1) The Legislature finds that the State of Nebraska has a compelling interest to provide access to the University of Nebraska, state colleges, and the community colleges for Black, American Indian, and Hispanic minority students and that the financial requirements of postsecondary education often represent major obstacles to such students because of the lack of financial resources available to them.

(2) It is the intent of the Legislature:

(a) To appropriate funds to support a minority scholarship program to serve as a temporary measure for the purpose of eliminating the statistical disparity between the representation of full-time Black, American Indian, and Hispanic minority students in the undergraduate population of the University of Nebraska, the state colleges, and the community colleges and the representation of such minority students in the student population of the primary and secondary schools of this state and for the purpose of developing a more racially diverse student body at such public institutions;

(b) That Black, American Indian, and Hispanic minority students attending the University of Nebraska, a state college, or a community college will be eligible to participate in the scholarship program supported pursuant to the Minority Scholarship Program Act; and

(c) That all funds appropriated by the Legislature for minority scholarships at the University of Nebraska, the state colleges, and the community colleges shall be used in coordination with private donations for such scholarships and in consultation with the major donors thereof and in coordination with federal grant funds available to minority students at such institutions so as to maximize the level of benefits and accomplish the purposes of the act.

Sec. 3. (1) All funds appropriated by the Legislature for the Minority Scholarship Program Act shall be used to support endowed scholarship funds which shall be held, managed, and invested as authorized by section 72-1246 with only the income therefrom expended for scholarships.

(2) The purpose of such endowed scholarship funds is to provide total or partial undergraduate scholarships for tuition, fees, board and room, and books at all campuses of the University of Nebraska, the state colleges, and the community colleges to full-time undergraduate students from Black, American Indian, and Hispanic minority groups which are under-represented in the student population of such public institutions and who cannot afford such educational expenses due to lack of financial resources available to them.

Sec. 4. (1) Funds appropriated in years prior to fiscal year 2000-01 for the minority scholarship program supported pursuant to section 85-1,125 as such section existed prior to the effective date of this act shall be used, administered, and distributed only for the benefit of students at the University of Nebraska in such manner as the Board of Regents of the University of Nebraska shall determine.

(2) Funds appropriated for fiscal year 2000-01 and each fiscal year thereafter shall be used for the benefit of students pursuant to the Minority Scholarship Program Act at the University

of Nebraska, the state colleges, and the community colleges.

Sec. 5. Funds appropriated for the Minority Scholarship Program Act for the benefit of students at:

(1) The University of Nebraska and students attending any community college who are enrolled in general academic transfer courses, as defined in section 85-1503, with the intention of transferring to the University of Nebraska, shall be used, administered, and invested in such manner as the Board of Regents of the University of Nebraska, in consultation with the boards of governors of each participating community college, shall determine; and

(2) The state colleges shall be used, administered, and invested in such manner as the Board of Trustees of the Nebraska State Colleges shall determine.

Sec. 6. Awards of scholarships under the Minority Scholarship Program Act shall be determined by a committee selected by the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the community college boards of governors. The committee shall include members of under-represented minority groups and private donors to the endowed scholarship funds. Awards shall be consistent with the intent stated in the act.

Sec. 7. The following section is outright repealed: Section 85-1,125, Reissue Revised Statutes of Nebraska.".

Senator Byars asked unanimous consent to be excused. No objections. So ordered.

The Beutler amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1379A. Senator Beutler offered the following amendment:
AM2977

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated $800,000 from the General Fund for FY2000-01 to the Board of Regents of the University of Nebraska, for Program 781, to aid in carrying out the provisions of Legislative Bill 1379, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated $200,000 from the General Fund for FY2000-01 to the Board of Trustees of the Nebraska State Colleges, for Program 48, to aid in carrying out the provisions of Legislative Bill 1379, Ninety-sixth Legislature, Second Session, 2000, as such provisions relate to students attending Nebraska state colleges.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.".

The Beutler amendment was adopted with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1427. E & R amendment, AM7238, found on page 1122, was adopted.

Senator Beutler offered the following amendment:
AM2954
(Amendments to Standing Committee amendments, AM2662)

1. On page 10, line 17, after the period insert "No project shall receive funding for more than three years through such grants unless the council determines that unusual circumstances dictate the need for an extension of funding. Extensions shall be granted for no more than one year at a time and shall be reported by the Department of Health and Human Services Finance and Support to the Health and Human Services Committee of the Legislature.".

2. On page 11, line 14, after the period insert "Such projects shall not include permanent, ongoing programs unless approved by the Legislature. The department or council may recommend projects to the Legislature for establishment as permanent, ongoing programs to be funded from the fund. Permanent, ongoing programs approved by the Legislature shall be fully funded on an annual basis prior to the use of the fund for any other project funded from the fund pursuant to subsection (1) of this section."; and in line 15 strike "such grants", show as stricken, and insert "funding pursuant to subsection (1) of this section".

Senator Robak asked unanimous consent to be excused. No objections. So ordered.

The Beutler amendment was adopted with 27 ayes, 1 nay, 14 present and not voting, and 7 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1427A. Advanced to E & R for engrossment.

RESOLUTION

LEGISLATIVE RESOLUTION 334. Introduced by Bromm, 23.

PURPOSE: To conduct an interim study of the Petroleum Release Remedial Action Act as it relates to (1) the availability and cost of private insurance to insure damages for which payment may be made from the Petroleum Release Remedial Action Cash Fund and (2) the need for extending the June 30, 2001, date for coverage of first reported releases under the act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENTS - Print in Journal

Senator Janssen filed the following amendment to LB 968:
AM2975

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new section:

"Sec. 61. Section 84-304, Reissue Revised Statutes of Nebraska, is amended to read:

84-304. It shall be the duty of the Auditor of Public Accounts:

(1) To give information in writing to the Legislature, whenever required, upon any subject relating to the fiscal affairs of the state or with regard to any duty of his or her office;

(2) To furnish offices for himself or herself and all fuel, lights, books, blanks, forms, paper, and stationery required for the proper discharge of the duties of his or her office;

(3)(a) To examine or cause to be examined, at such time as he or she shall determine, books, accounts, vouchers, records, and expenditures of all state officers, state bureaus, state boards, state commissioners, the state library, societies and associations supported by the state, state institutions, state colleges, and the University of Nebraska, except when required to be performed by other officers or persons; ~~,~~

(b) ~~to~~ To examine or cause to be examined, at the expense of the political subdivision, when the Auditor of Public Accounts determines such examination necessary or when requested by the political subdivision, the books, accounts, vouchers, records, and expenditures of an agricultural association formed under Chapter 2, article 20, county agricultural society, joint airport authority

formed under the Joint Airport Authorities Act, city or county airport authority, development district, regional council, drainage district, ~~fire protection district,~~ health district, historical society, hospital authority or district, county hospital, irrigation district, county or municipal library, community mental health center, railroad transportation safety district, rural water district, township, or the Wyuka Cemetery;~~, and~~

(c) ~~to~~ To report promptly to the Director of Administrative Services and the appropriate standing committee of the Legislature the fiscal condition shown by such examinations conducted by the auditor, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts; and

(d) To examine or cause to be examined the books, accounts, vouchers, records, and expenditures of a fire protection district. The expense of the examination shall be paid by the political subdivision. ~~An examination of any volunteer department as defined in section 35-901 shall not include an examination of the volunteer department trust fund.~~

(i) Whenever the expenditures of a fire protection district are less than one hundred fifty thousand dollars per fiscal year, the fire protection district shall be audited no more than once every five years except as directed by the board of directors of the fire protection district or unless the ~~Auditor of Public Accounts~~ auditor receives a verifiable report from a third party indicating any irregularities or misconduct of officers or employees of the fire protection district, any misappropriation or misuse of public funds or property, or any improper system or method of bookkeeping or condition of accounts of the fire protection district. In the absence of such a report, the ~~Auditor of Public Accounts~~ auditor may waive the five-year audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the ~~Auditor of Public Accounts~~ auditor. The ~~Auditor of Public Accounts~~ auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver of the five-year audit requirement. Upon approval of the request for waiver of the five-year audit requirement, a new five-year audit period shall begin.

(ii) Whenever the expenditures of a fire protection district exceed one hundred fifty thousand dollars in a fiscal year, the auditor may waive the audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver. Upon approval of the request for waiver, a new five-year audit period shall begin for the fire protection district if its expenditures are less than one hundred fifty thousand dollars per fiscal year in subsequent years;~~.~~

(4) To ~~The Auditor of Public Accounts shall~~ appoint two assistant deputies ~~(i)~~ (a) whose entire time shall be devoted to the service of the state as directed by the auditor, ~~(ii)~~ (b) who shall be certified public accountants with at least five years' experience, ~~(iii)~~ (c) who shall be selected without regard to party affiliation or to place of residence at the time of appointment, ~~(iv)~~ (d) who shall promptly report in duplicate to the auditor the fiscal condition shown by each examination, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts, and it shall be the duty of the auditor to file promptly with the Governor a duplicate of such report, and ~~(v)~~ (e) who shall qualify by taking an oath which shall be filed in the office of the Secretary of State; ~~and~~

~~(4) Conduct~~ (5) To conduct audits and related activities for state agencies, political subdivisions of this state, or grantees of federal funds disbursed by a receiving agency on a contractual or other basis for reimbursement to assure proper accounting by all such agencies, political subdivisions, and grantees for funds appropriated by the Legislature and federal funds disbursed by any receiving agency. The ~~Auditor of Public Accounts~~ auditor may contract with any political subdivision to perform the audit of such political subdivision required by or provided for in section 23-1608 or 79-1229 or this section and charge the political subdivision for conducting the audit. The fees charged by the auditor for conducting audits on a contractual basis shall be in an amount sufficient to pay the cost of the audit. The fees remitted to the auditor for such audits and services shall be deposited in the Auditor of Public Accounts Cash Fund; and ~~.~~

(6) To conduct all ~~All the~~ audits and examinations ~~conducted by the Auditor of Public Accounts shall be conducted~~ in a timely manner and in accordance with the standards for audits of governmental organizations, programs, activities, and functions published by the Comptroller General of the United States.".

2. On page 73, line 8, after "79-1082," insert "84-304,".

3. Renumber the remaining sections and correct internal references accordingly.

Senator Hilgert filed the following amendment to LB 953:
(Amendment, AM2957, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

VISITORS

Visitors to the Chamber were Connie and Kathryn Stewart from Valley; and Howard and Roberta Eckelbecker from Bellevue and Lisa Eckelbecker from

Westboro, Massachusetts.

The Doctor of the Day was Dr. Ron Craig from Lincoln.

ADJOURNMENT

At 5:37 p.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Wednesday, March 22, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FORTY-SEVENTH DAY - MARCH 22, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 22, 2000

PRAYER

The prayer was offered by Reverend Nancy Flader, First United Methodist Church, Blair, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Brashear, Bromm, Dickey, Hartnett, Kiel, Kristensen, Landis, and Price who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

GENERAL FILE

LEGISLATIVE BILL 352A. Title read. Considered.

Senator Crosby renewed her pending amendment, AM2931, found on page 1188.

The Crosby amendment was adopted with 26 ayes, 1 nay, 14 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 26 ayes, 1 nay, 15 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 968A. Title read. Considered.

Advanced to E & R for review with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1217. The Kristensen pending amendment, FA337, found on page 1191, to the Chambers pending amendment, AM2982, found on page 1190, was renewed.

Senator Kristensen withdrew his amendment.

Senator Chambers withdrew his amendment, AM2982, found on page 1190.

Senator Wehrbein offered the following amendment:
FA338
Amend AM7234
On page 75, lines 6 and 8, strike both occurrences of "387,716,725" and insert "388,216,725",

On page 75, after line 20, insert the following:
"There is included in the appropriation to this program $500,000 for FY2000-01 for the recruitment, development and retention of minority and women faculty members in all areas of academic pursuit.

It is further intended that the Legislature study the issue of recruitment, development and retention of minority and women faculty members at the University of Nebraska. The report should include but not be limited to the progress made to date and the feasibility of the University reaching its goals as outlined in its five-year plan as submitted to the Legislature. It is intended that the study be completed prior to January 1, 2001."

Senator Baker asked unanimous consent to be excused until he returns. No objections. So ordered.

The Wehrbein amendment was adopted with 26 ayes, 3 nays, 17 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 973. Senator Chambers withdrew his motion, found on page 1103, to reconsider the vote on AM2647.

Senators Wickersham and Janssen renewed their pending amendment, AM2680, found on page 942.

The Wickersham-Janssen amendment was adopted with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

Senator Jensen renewed his pending amendment, AM2770, found on page 1019.

The Jensen amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

Senator Hilgert moved to reconsider the vote on the Jensen amendment, AM2770.

Senator Hilgert withdrew his motion to reconsider.

Senator Chambers withdrew his amendment, FA310, found on page 933.

Senator Chambers renewed his pending amendment, AM2962, found on page 1180.

The Chambers amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1119. Title read. Considered.

The Standing Committee amendment, AM2113, found on page 461, was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

PRESIDENT MAURSTAD PRESIDING

Senator Landis renewed his pending amendment, AM2467, found on page 867.

The Landis amendment was adopted with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

Senator Beutler offered the following amendment:
AM2995

1. On page 11, after line 15 insert the following new subsection: "(6) The director shall keep on file in one location all complaints from the public and insurance industry sources alleging that a competitive market does not exist. The director shall investigate each complaint to the extent necessary to determine the truth of the allegations. The director shall keep a summary of his or her findings and conclusions with the complaint.".

The Beutler amendment was adopted with 29 ayes, 0 nays, 19 present and not voting, and 1 excused and not voting.

Advanced to E & R for review with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 335. Introduced by Cudaback, 36.

PURPOSE: To examine the current status of the elevator inspection program in Nebraska. Components of the study should focus on:

(1) The feasibility and value of creating an advisory board or panel to assist the state elevator inspector on matters concerning elevator installations and inspections, including the formulation of rules and regulations;

(2) The appeals process regarding the denial of a certificate of inspection; and

(3) Whether the Nebraska statutes should be revised to more clearly articulate the requirements citizens must meet in order to obtain a certificate of inspection, specifically focusing on when a pre-inspection permit is required and how such permit is obtained.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1399A. Introduced by Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1399, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

MESSAGE FROM THE GOVERNOR

March 22, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 900e, 900Ae, and 994 were received in my office on March 16, 2000.

These bills were signed by me on March 22, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

SELECT FILE

LEGISLATIVE BILL 953. Senator Matzke withdrew his motion, found on page 1014, to indefinitely postpone.

Senator Hilgert renewed his pending amendment, AM2957, printed separately and referred to on page 1197.

Senator Janssen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers requested a roll call vote on the Hilgert amendment.

Voting in the affirmative, 29:

Aguilar
Beutler
Bourne
Bromm
Byars
Connealy
Crosby
Cudaback
Dierks
Engel
Hilgert
Hudkins
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Pedersen, Dw.
Pederson, D.
Preister
Schmitt
Schrock
Smith
Stuhr
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 18:

Baker
Bohlke
Brashear
Brown
Bruning
Chambers
Coordsen
Dickey
Hartnett
Jensen
Matzke
Quandahl
Raikes
Redfield
Robak
Schimek
Suttle
Thompson

Excused and not voting, 2:

Janssen
Price

The Hilgert amendment was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Senator Chambers moved to reconsider the vote on the Hilgert amendment, AM2957.

Senators Kristensen, Lynch, Bromm, and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers withdrew his motion to reconsider.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 336. Introduced by Stuhr, 24.

PURPOSE: The purpose of this resolution is to review and update the General Principles of Sound Retirement Planning. The General Principles of Sound Retirement Planning are utilized by the Nebraska Retirement Systems Committee as a guide for evaluating proposed legislation and issues regarding the five public retirement systems administered by the State of Nebraska. The General Principles are also used by members of the Legislature as a guide not only for the five retirement systems, but also for retirement systems created by statute but administered by other public entities.

The study shall review the analysis and recommendations from the General Principles that were completed under LR 164 (1995) and the revisions adopted in April 1996. The study shall revise the existing General Principles, as necessary, to include the legislation that has passed since the last revision was adopted in 1996, draft additional principles, as appropriate, draft and propose future strategies for each of the five retirement systems as to the direction the Legislature should take in future legislation, take into consideration the benefit adequacy of each of the five retirement systems, and prioritize all principles.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Retirement Systems Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 337. Introduced by Stuhr, 24.

PURPOSE: The purpose of this resolution is to review the process and criteria by which members are nominated and selected for the Public Employees Retirement Board and to ensure that there is proportional representation on the Public Employees Retirement Board for each of the five retirement plans that are administered by the Nebraska Public Employees Retirement Systems. The study shall review the statutes and guidelines that govern the Public Employees Retirement Board as well as those from other states. The study shall further review the board's fiduciary duty to its plan members and whether or not the board has the tools necessary to meet the duties and obligations specifically set forth by Nebraska law. It is further necessary to study whether or not the duties and requirements of the board are consistent with those of other public retirement systems within the United States. If necessary, the study shall revise the statutes and guidelines pertaining to nominations and membership on the Public Employees Retirement Board to ensure proportionate representation of all five retirement systems, in addition to revising the duties and obligations of the retirement board, if necessary, to make Nebraska's system consistent with other public retirement systems in the United States.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Retirement Systems Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENTS - Print in Journal

Senators Wickersham, Bohlke, Coordsen, Dierks, Hartnett, Landis, Raikes, and Redfield filed the following amendment to LB 968:
(Amendment, AM2984, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Thompson filed the following amendment to LB 1399:
AM2950

(Amendments to E & R amendments, AM7237)

1. On page 5, strike beginning with "If" in line 17 through "bonus" in line 18 and insert "If the number of teachers qualifying for the bonus exceeds the number which the one million dollars would fully fund at the five-thousand-dollar level".
2. On page 8, line 12, strike "a" and insert "an eligible".

Senator Thompson filed the following amendment to LB 968:
AM2783

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new section:

"Sec. 54. Section 77-1823, Reissue Revised Statutes of Nebraska, is amended to read:

77-1823. The treasurer shall charge ~~a ten-dollar~~ an issuance fee of twenty-five dollars for each deed or certificate made by him or her for a sale of real property for taxes together with the fee of the notary public or other officer acknowledging the deed, but any number of items of real property bought by any one person may be included in one deed as desired by the purchaser. The issuance fee shall not be required if the tax sale certificate is issued in the name of the county, but the issuance fee is due from the purchaser when the county assigns the certificate to another person. Whenever the treasurer makes a deed to any real property sold for taxes, he or she shall enter an account thereof in the sale book opposite the description of the real property conveyed.".

2. Correct the operative date section and repealer so that the section added by this amendment becomes operative with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

VISITORS

Visitors to the Chamber were 19 eighth grade students and teacher from Lakeview Community School, Columbus; 4 students and sponsors from Cedar Canyon School, Gering; 55 fifth grade students and teachers from Northside/Clairmont School, Fremont; 16 fourth grade students and teacher from Central Christian School, Omaha; 15 seniors and teacher from Arnold; and 60 seniors and teacher from Northeast High School, Lincoln.

RECESS

At 12:06 p.m., on a motion by Speaker Kristensen, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:33 p.m., Speaker Kristensen presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke, Brashear, Bromm, Coordsen, Dierks, Janssen, Jensen, Landis, Matzke, Price, Raikes, Stuhr, Suttle, Tyson, and Wickersham who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 953. Senator Vrtiska offered the following amendment:
AM3007

1. In the Hilgert amendment, AM2957:

a. On page 1, line 24, after the semicolon insert "and"; and

b. On page 2, strike beginning with "Four" in line 1

5 through "(c)" in line 3.

Senator Vrtiska withdrew his amendment.

Senator Hilgert offered the following amendment:
FA339
Amend AM2957
Strike sections 1-13.

The Hilgert amendment was adopted with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.

Senator Thompson asked unanimous consent to be excused until she returns. No objections. So ordered.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1092. E & R amendment, AM7225, found on page 1037, was adopted.

Senator Wehrbein renewed his pending amendment, AM2802, found on page 1082.

The Wehrbein amendment was adopted with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1092A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 628. E & R amendment, AM7223, found on page 1039, was adopted.

Senator Beutler withdrew his amendments, FA311 and AM2727, found on pages 943 and 966.

Senator Beutler asked unanimous consent to replace his pending amendment, AM2704, found on page 969, with a substitute amendment. No objections. So ordered.

Senator Beutler withdrew his amendment, AM2704, found on page 969.

Senator Beutler offered the following substitute amendment:
AM3001
(Amendments to E & R amendments, AM7223)
1. On page 3, line 7, after "a" insert "written"; and in line 21 after "prioritize" insert "the items within".

The Beutler amendment was adopted with 28 ayes, 0 nays, 16 present and

not voting, and 5 excused and not voting.

Senator Beutler withdrew his amendments, AM2705 and AM2703, found on page 969.

Senator Beutler renewed his pending amendment, AM2732, found on page 1002.

Senator Beutler withdrew his amendment.

Senator Beutler withdrew his amendment, AM2734, found on page 1004.

Senator Beutler renewed his pending amendment, AM2735, found on page 1004.

Senator Beutler withdrew his amendment.

Senator Beutler withdrew his amendment, AM2733, found on page 1004.

Senator Coordsen renewed his pending amendment, AM2918, found on page 1140.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

The Coordsen amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Senator Brashear renewed his pending amendment, AM2923, found on page 1188.

The Brashear amendment was adopted with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

PRESIDENT MAURSTAD PRESIDING

Senator Crosby asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Dw. Pedersen asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 171. E & R amendment, AM7228, found on page 1043, was adopted.

Senator Beutler withdrew his amendment, FA313, found on page 973.

Senator Wickersham renewed his pending amendment, AM2922, found on page 1139.

Senators Matzke and D. Pederson asked unanimous consent to be excused until they return. No objections. So ordered.

The Wickersham amendment lost with 6 ayes, 17 nays, 22 present and not voting, and 4 excused and not voting.

Senator Janssen offered the following amendment:
AM2992

1. Insert the following new sections:

"Sec. 3. Section 77-2702.07, Reissue Revised Statutes of Nebraska, is amended to read:

77-2702.07. (1) Gross receipts shall mean the total amount of the sale or lease or rental price, as the case may be, of the retail sales of retailers valued in money whether received in money or otherwise, without any deduction on account of any of the following:

(a) The cost of property sold. In accordance with rules and regulations adopted and promulgated by the Tax Commissioner, a deduction may be taken if the retailer has purchased property for some purpose other than resale, has reimbursed his or her vendor for tax which the vendor is required to pay to the state or has paid the use tax with respect to the property, and has resold the property prior to making any use of the property other than retention, demonstration, or display while holding it for sale in the regular course of business. If such a deduction is taken by the retailer, no refund or credit will be allowed to his or her vendor with respect to the sale of the property;

(b) The cost of the materials used, labor or service costs, interest paid, losses, or any other expense;

(c) The cost of transportation of the property except as provided in subdivision (4)(i) of this section;

(d) The amount of any excise or property tax levied against the property except as otherwise provided in the Nebraska Revenue Act of 1967; or

(e) The amount charged for warranties, guarantees, or maintenance agreements.

(2) Gross receipts of every person engaged as a public utility specified in this subsection or as a community antenna television service operator or any person involved in connecting and installing services defined in subdivision (2)(a), (b), or (d) of this section shall mean:

(a) In the furnishing of telephone communication service, the gross income received from furnishing local exchange telephone service and intrastate message toll telephone service. Gross receipts shall not mean the gross income, including division of revenue, settlements, or carrier access charges received on or after January 1, 1984, from the sale of a telephone communication service to a communication service provider for purposes of furnishing telephone communication service;

(b) In the furnishing of telegraph service, the gross income received from the furnishing of intrastate telegraph services;

(c) In the furnishing of gas, electricity, sewer, and water service except water used for irrigation of agricultural lands and manufacturing purposes, the gross income received from the furnishing of such services upon billings or statements rendered to consumers for such utility services; and

(d) In the furnishing of community antenna television service, the gross income received from the furnishing of such community antenna television service as regulated under sections 18-2201 to 18-2205 or 23-383 to 23-388.

Gross receipts shall also mean gross income received from the provision, installation, construction, servicing, or removal of property used in conjunction with the furnishing, installing, or connecting of any public utility services specified in subdivision (2)(a) or (b) of this section or community antenna television service specified in subdivision (2)(d) of this section. Gross receipts shall not mean gross income received from telephone directory advertising.

(3) Gross receipts of every person engaged in selling, leasing, or otherwise providing intellectual or entertainment property shall mean:

(a) In the furnishing of computer software, the gross income received, including the charges for coding, punching, or otherwise producing computer software and the charges for the tapes, disks, punched cards, or other properties furnished by the seller. Gross receipts shall not mean the amount charged for training customers in the use of computer software if such amount is separately stated and such separate statement is not used as a means of avoiding imposition of the tax upon the actual sales price of the computer software; and

(b) In the furnishing of videotapes, movie film, satellite programming, satellite programming service, and satellite television signal descrambling or decoding devices, the gross income received from the license, franchise, or other method establishing the charge except the gross income received from videotape and film rentals, satellite programming, and satellite programming service when the sales tax or the admission tax is charged under the Nebraska Revenue Act of 1967 and except as provided in section 77-2704.39.

(4) Gross receipts shall not include any of the following:

(a) Cash discounts allowed and taken on sales;

(b)(i) Before January 1, 1997, the amount of any rebate granted by a motor vehicle manufacturer or dealer at the time of sale of the motor vehicle, which rebate functions as a discount from the sales price of the motor vehicle; and

(ii) On and after January 1, 1997, the amount of any rebate granted by a motor vehicle or motorboat manufacturer or dealer at the time of sale of the motor vehicle or motorboat, which rebate functions as a discount from the sales price of the motor vehicle or motorboat;

(c) Sales price of property returned by customers when the full sales price is refunded either in cash or credit;

(d) The amount charged for finance charges, carrying charges, service charges, or interest from credit extended on sales of property under contracts providing for deferred payments of the purchase price if such charges are not used as a means of avoiding imposition of the tax upon the actual sales price of the property;

(e) The value of property taken by a seller in trade as all or a part of the consideration for a sale of property of any kind or nature;

(f)(i) Before January 1, 1997, the value of a motor vehicle taken by any person in trade as all or a part of the consideration for a sale of another motor vehicle; and

(ii) On and after January 1, 1997, the value of a motor vehicle or motorboat taken by any person in trade as all or a part of the consideration for a sale of another motor vehicle or motorboat;

(g) Receipts from conditional sale contracts, installment sale contracts, rentals, and leases executed in writing prior to June 1, 1967, and with delivery of the property prior to June 1, 1967, if such conditional sale contracts, installment sale contracts, rentals, or leases are for a fixed price and are not subject to negotiation or alteration; ~~or~~

(h) Except as provided in subsection (2) of this section, the amount charged for labor or services rendered in installing or applying the property sold if such amount is separately stated and such separate statement is not used as a means of avoiding imposition of the tax upon the actual sales price of the property; or

(i) The postage charged for transporting circulars and advertising materials sold by any method offered by the United States Postal Service.

Sec. 4. Section 77-2702.17, Reissue Revised Statutes of Nebraska, is amended to read:

77-2702.17. (1) Sales price shall mean the total amount for which property is sold valued in money whether paid in money or otherwise, without any deduction on account of:

(a) The cost of the property sold;

(b) The cost of material used, labor or service cost, interest paid, losses, or any other expenses;

(c) The cost of transportation of the property except as provided in subdivision (2)(i) of this section. The total amount for which property is sold shall include any services which are a part of the sale and any amount for which credit is given to the purchaser by the seller;

(d) The cost of computer software contained on the property; or

(e) The cost of any license, franchise, or lease for the use of computer software or entertainment properties such as videotapes or movie films.

(2) Sales price shall not mean any of the following:

(a) Cash discounts allowed and taken on sales;

(b) The amount of any rebate granted by a motor vehicle or motorboat manufacturer or dealer at the time of sale of the motor vehicle or motorboat, which rebate functions as a discount from the sales price of the motor vehicle or motorboat;

(c) The amount refunded for property returned by customers when all or part of the amount charged therefor is refunded either in cash or credit;

(d) The amount charged for finance charges, carrying charges, service charges, or interest from credit extended on sales of property under contracts providing for deferred payments of the purchase price if such charges are not used as a means of avoiding imposition of the tax upon the actual sales price of the property;

(e) The value of property taken by a seller in trade as all or a part of the consideration for a sale of property of any kind or nature;

(f) The value of a motor vehicle or motorboat taken by any person in trade as all or part of the consideration for a sale of another motor vehicle or motorboat;

(g) The amount charged for labor or services rendered in annexing property to real estate; ~~or~~

(h) The amount charged for labor or services rendered in installing or applying the property sold if such amount is separately stated and such separate statement is not used as a means of avoiding imposition of the tax upon the actual sales price of the property; or

(i) The postage charged for transporting circulars and advertising materials sold by any method offered by the United States Postal Service.

Sec. 5. Sections 3, 4, and 6 of this act become operative on October 1, 2000. The other sections become operative on their effective date.

Sec. 6. Original sections 77-2702.07 and 77-2702.17, Reissue Revised Statutes of Nebraska, are repealed.".

2. Renumber the remaining sections accordingly.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Smith moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Senator Janssen withdrew his amendment.

Senator Beutler renewed his pending amendment, AM2906, found on page 1136.

Pending.

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 1214, 1214A, 1215, 1216, 1217, 1328, 1349, 1369, 1379, 1379A, 1427, 1427A, and 1448.

Enrollment and Review Change to LB 1216

The following changes, required to be reported for publication in the Journal, have been made:
ER9136

1. On page 1, line 1, "13-2305," has been inserted after "sections"; and in line 7 "of funds" has been inserted after "transfers".
2. On page 18, an underscored comma has been inserted before "as" in lines 11 and 22 and after "68-630" in lines 12 and 23.
3. On page 31, line 3, "procurement" has been struck and "purchasing" inserted.

Enrollment and Review Change to LB 1217

The following changes, required to be reported for publication in the Journal, have been made:
ER9137

1. In the Wehrbein amendment, FA338, on page 1, an underscored comma has been inserted after both occurrences of "development"; and "include but not be limited to" has been struck and "include, but not be limited to," inserted.
2. In the Coordsen amendment, AM2976:

a. Sections 45 and 101 have been renumbered as sections 47 and 103, respectively;

b. On page 1, line 10, "101" has been struck and "103" inserted; and

c. On page 2, line 9, "45" has been struck and "47" inserted.

3. In the Tyson amendment, AM2935, section 27 has been renumbered as section 28.

4. In the E & R amendments, AM7234, on page 111, line 18, "191," has been inserted after "160,".

5. On page 1, line 12, "to provide for a task force;" has been inserted after the first semicolon.

Enrollment and Review Change to LB 1379

The following changes, required to be reported for publication in the Journal, have been made:
ER9138

1. On page 1, the matter beginning with "amend" in line 1 through line 4 has been struck and "adopt the Minority Scholarship Program Act; to eliminate provisions relating to a scholarship program; and to outright repeal section 85-1,125, Reissue Revised Statutes of Nebraska." inserted.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Motor Vehicle Industry Licensing Board
Jerry Haggadone
William Cannon
Kevin Langel

VOTE: Aye: Senators Bromm, Jones, Thompson, Hudkins, Baker, Byars, and Dw. Pedersen. Nay: None. Absent: Senator Robak.

(Signed) Curt Bromm, Chairperson

Education

The Education Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Coordinating Commission for Postsecondary Education
Dick Davis
Dr. Helen Morten
Debra Fischer

VOTE: Aye: Senators Raikes, Stuhr, Brashear, Coordsen, Wickersham, Suttle, Price, and Bohlke. Nay: None. Absent: None.

(Signed) Ardyce L. Bohlke, Chairperson

AMENDMENTS - Print in Journal

Senator Landis filed the following amendment to LB 1253:
AM3005

(Amendments to Final Reading copy)

1. Insert the following new section:

"Sec. 43. (1)(a) Any individual or group sickness and accident insurance policy or subscriber contract delivered, issued for delivery, or renewed in this state and any hospital, medical, or surgical expense-incurred policy, except for policies that provide coverage for a specified disease or other limited-benefit coverage, and (b) any self-funded employee benefit plan to the extent not preempted by federal law shall cover newly adopted children of the insured or enrollee. The coverage for newly adopted children shall be the same as for other dependents. No policy or health benefit plan provision concerning preexisting condition limitations, insurability, eligibility, or health underwriting approval may be applied to newly adopted children when they are enrolled in accordance with this section.

(2) The coverage required by this section:

(a) Is effective upon the earlier of (i) the date of placement for the purpose of adoption or (ii) the date of the entry of an order granting the adoptive parent custody of the child for purposes of adoption;

(b) Continues unless the placement is disrupted prior to legal adoption and the child is removed from placement; and

(c) Continues unless required action as described in subsection (3) of this section is not taken.

(3) If the payment of a specific premium or subscription fee is required to provide coverage for an adopted child, the policy or health benefit plan may require that notification of the adoption of the child and the payment of the required premium or fee be furnished to the insurer or health benefit plan within thirty-one days after the adoption of the child in order to have the coverage continue beyond the thirty-one-day period.".

2. On page 1, line 12, after the semicolon insert "to require coverage for adopted children;".

3. On page 30, line 19, strike "43, 44, and 46" and insert "44, 45, and 47".

4. Renumber the remaining sections accordingly.

Senator Bromm filed the following amendment to LB 968:
AM2990

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following section:

"Sec. 70. No bond for costs, appeal, supersedeas, injunction, or attachment shall be required of any city of the first class, city of the second class, or village or of any officer, member of any board or commission, head of any department, agent, or employee of such city or village in any proceeding or court action in which such city, village, or officer, board or commission member, department head, agent, or employee is a party litigant in its, his, or her official capacity.".

2. Amend the operative date provisions so that the section added by this amendment becomes operative on its effective date without the emergency clause.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 352A. Placed on Select File.
LEGISLATIVE BILL 968A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORT
Urban Affairs

LEGISLATIVE BILL 607. Placed on General File as amended.
Standing Committee amendment to LB 607:
AM2928

1. Strike the original sections and insert the following new sections:

"Section 1. This act shall be known and may be cited as the Neighborhood Development Act.

Sec. 2. The Legislature finds that there is a need to:

(1) Stimulate local community development efforts statewide;

(2) Build an environment to engage in more effective community development; and

(3) Assist community improvement groups which have positive impacts upon the vitality, cohesiveness, and continued viability of both urban and rural communities throughout the state.

Sec. 3. The purposes of the Neighborhood Development Act are to:

(1) Strengthen neighborhoods and small communities by enhancing their ability to develop community development plans;

(2) Coordinate the use of existing programs and funds more efficiently and effectively in support of new programs and initiatives; and

(3) Revitalize declining neighborhoods and small communities, maintain the integrity of stable, viable neighborhoods and small communities, and strengthen existing neighborhoods and small communities.

Sec. 4. For the purposes of the Neighborhood Development Act:

(1) College means the College of Architecture of the University of Nebraska-Lincoln;

(2) Community improvement group means a neighborhood association or small community;

(3) Fund means the Neighborhood Development Grant Fund;

(4) Neighborhood association means an organization that is recognized or endorsed by an incorporated city or village or county as representing all of the residents within a specific, defined geographical area, with the organization representing those residents on a wide range of issues through an open meeting process with elected officers and regularly scheduled meetings; and

(5) Small community means an unincorporated village or an incorporated city of the second class or village as defined in sections 17-101 and 17-201.

Sec. 5. (1) The Neighborhood Development Grant Fund is created. The fund shall be used by the college to carry out its duties and responsibilities under the Neighborhood Development Act.

(2) The State Treasurer shall credit to the fund any money (a) appropriated to the fund by the Legislature, (b) donated as gifts, bequests, grants, or otherwise contributed to the fund from public or private sources, and (c) received pursuant to this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(3) The amount in the fund used in any budget year by the college to pay the expenses of the college in the performance of its duties under the act shall not exceed the amount appropriated by the Legislature to the fund in that budget year for that purpose.

Sec. 6. (1) The college shall award development grants to qualified community improvement groups through an application process. The college shall develop and provide requesting community improvement groups with an application form. The form shall be simple and concise, using nontechnical language, and the questions on the form shall be factual in nature.

(2) To be eligible for a grant, the applying community improvement group shall:

(a) Demonstrate that the grant funds will be used for a neighborhood or community project;

(b) Demonstrate with regard to the project:

(i) That it will provide a public benefit;

(ii) That it will provide a particular benefit to the applicant's neighborhood or small community;

(iii) That it will be completed within one year after the receipt of the grant;

(iv) That neighborhood or small community residents were involved in the identification and planning for the project and will be involved in the project's execution; and

(v) That the project does not duplicate an existing public program;

(c) Document verifiable goals for the project for which grant funds are requested; and

(d) Document that the applicant will bring to the project a match equivalent in money or in-kind services equal to the following scale:

(i) For a grant of five thousand dollars or less, a match equivalent to twenty-five percent of the amount of the grant sought;

(ii) For a grant of seven thousand five hundred dollars or less but more than five thousand dollars, a match equivalent to not less than twenty-six percent and no more than forty-nine percent of the amount of the grant sought; and

(iii) For a grant of ten thousand dollars or less but more than seven thousand five hundred dollars, a match equivalent to fifty percent or more of the amount of the grant sought.

(3) A recipient of a grant shall not use the grant funds for administrative support of the recipient, for the planning of a project, or for the administrative costs relating to the planning of a project. Not more than five percent of the grant funds received shall be expended by the recipient of the grant for expenses incurred in administering the grant. A recipient of a grant may not receive more than one grant for the same project, and a project may not receive more than one grant in any one year. No grant to a singe community improvement group shall exceed ten thousand dollars.

Sec. 7. In assessing the applications received from community improvement groups, the college shall weigh the relative merits of the applications, giving consideration to the following factors:

(1) The amount of the match;

(2) The level of involvement by persons living in the community;

(3) The community needs reflected in the application;

(4) The likelihood of the successful completion of the project;

(5) The innovative character of the proposed solution; and

(6) The efficiency of the proposed allocation of state, local, public, and private resources in solving the local community need.

Sec. 8. Upon completion of a project for which a grant has been received or within one year from the date of the receipt of a grant, whichever comes first, the recipient community improvement group shall provide the college with an evaluation reporting the results of the project.

Sec. 9. The college shall submit an annual report to the

Governor and the Legislature on or before January 1 of each year listing the recipients and amounts of grants made pursuant to the Neighborhood Development Act in the previous year, the impact of the grants, and an evaluation of each project's performance based on the documented reports of the recipient community improvement groups.".

(Signed) D. Paul Hartnett, Chairperson

SELECT FILE

LEGISLATIVE BILL 171. Senator Kristensen offered the following amendment to the Beutler pending amendment:
FA340
Amend AM2906
Add "2. on p. 1 line 10 strike 2003 and insert 2006."

Senator Kristensen moved for a call of the house. The motion prevailed with 32 ayes, 0 nays, and 17 not voting.

Senator Kristensen requested a roll call vote on his amendment.

Voting in the affirmative, 25:

Aguilar
Beutler
Bohlke
Brashear
Brown
Bruning
Byars
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hilgert
Hudkins
Janssen
Jones
Kristensen
Lynch
Pederson, D.
Quandahl
Schimek
Schmitt
Schrock
Smith
Stuhr

Voting in the negative, 18:

Baker
Bourne
Bromm
Chambers
Connealy
Kremer
Landis
Matzke
Price
Raikes
Redfield
Robak
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Present and not voting, 3:

Engel
Hartnett
Preister

Excused and not voting, 3:

Jensen
Kiel
Pedersen, Dw.

The Kristensen amendment was adopted with 25 ayes, 18 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Beutler pending amendment, AM2906, found on page 1136 and considered on page 1213, as amended, was renewed.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 35 ayes, 0 nays, and 14 not voting.

Senator Chambers requested a record vote on the Beutler amendment, as amended.

Voting in the affirmative, 26:

Aguilar Beutler Bohlke Brashear Brown
Bruning Byars Coordsen Crosby Cudaback
Hartnett Hilgert Hudkins Janssen Jones
Kristensen Lynch Pederson, D. Quandahl Robak
Schimek Schmitt Schrock Smith Stuhr
Tyson

Voting in the negative, 16:

Baker Bourne Bromm Chambers Connealy
Dickey Dierks Kremer Landis Matzke
Price Raikes Suttle Thompson Wehrbein
Wickersham

Present and not voting, 4:

Engel Preister Redfield Vrtiska

Excused and not voting, 3:

Jensen Kiel Pedersen, Dw.

The Beutler amendment, as amended, was adopted with 26 ayes, 16 nays, 4 present and not voting, and 3 excused and not voting.

Senator Beutler withdrew his amendment, AM2912, found on page 1136.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 2 nays, and 18 not voting.

Senator Kristensen moved for a call of the house. The motion prevailed with 42 ayes, 0 nays, and 7 not voting.

Senator Chambers requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar Beutler Bohlke Brashear Brown
Byars Coordsen Crosby Cudaback Dierks
Engel Hartnett Hilgert Hudkins Jones
Kristensen Lynch Pederson, D. Quandahl Redfield
Schimek Schrock Smith Stuhr Tyson

Voting in the negative, 19:

Baker Bourne Bromm Bruning Chambers
Connealy Dickey Janssen Kremer Landis
Matzke Price Raikes Schmitt Suttle
Thompson Vrtiska Wehrbein Wickersham

Present and not voting, 2:

Preister Robak

Excused and not voting, 3:

Jensen Kiel Pedersen, Dw.

Advanced to E & R for engrossment with 25 ayes, 19 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

RESOLUTION

LEGISLATIVE RESOLUTION 338. Introduced by Schimek, 27; Janssen, 15; Lynch, 13; Connealy, 16; Hilgert, 7; Bourne, 8; Bohlke, 33; Crosby, 29; Schmitt, 41; Cudaback, 36; Robak, 22.

PURPOSE: Tribal governments are searching for ways to improve conditions for their people and for their reservations. Unemployment on the reservations is extremely high, as high as seventy-three percent on one reservation alone. Tribes have little infrastructure to lure businesses to locate within reservation boundaries. Additionally, very little land on the reservation is taxable so there is a very small property tax base with which to improve conditions upon the reservations.

Issues have arisen in Nebraska which have created a struggle for basic rights of sovereignty and self-determination for Indian tribes in Nebraska. It is incumbent on the Legislature to work to resolve these issues and to develop an understanding of cooperation and co-existence between the tribes of Nebraska and the government of Nebraska.

The Legislature shall conduct a study which shall include, but not be limited to:

1. An analysis of tribal sovereignty and its relationship to the federal government, state government, and local communities;
2. A review of economic development on Indian lands within Nebraska,

specifically what economic development initiatives have occurred on reservation lands in the last fifteen years;

3. A review of the positive fiscal impact that gambling has had on reservations around the country, as well as negative impacts that may occur on reservation lands or in the surrounding area;

4. An analysis of whether the crime rate has increased on reservations or in surrounding areas where gaming has been established; and

5. An analysis relating to the state's tax policies toward economic development and business development on tribal lands, and whether these policies impact negatively on a tribe's ability to attract businesses to the reservations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee and the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution. The committees shall hold hearings on the tribal lands of each of the four Nebraska tribes.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature by December 1, 2000.

Referred to the Executive Board.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 1348:
AM2993

(Amendments to E & R amendments, AM7233)

1. On page 2, line 2, strike "and"; in line 5 after "commerce" insert "; and (e) Strengthen value-added enterprises by promoting strategic partnerships and networks through multi-group cooperation"; in line 7 strike ", farming" and insert ": (1) Farming"; in line 9 after "livestock" insert "; and (2) Value-added means altering raw food or nonfood agricultural products through processing or other means in order to increase their worth"; and in line 23 after "economy" insert "including innovative cooperative efforts for value-added enterprises".

Senators Wehrbein and Connealy filed the following amendment to LB 1348:
AM2999

(Amendments to E & R amendments, AM7233)

1. On page 5, line 10, after the period insert "Grant funds for a project may be awarded to a cooperative, group, association, or other entity if the entity is involved in an activity designed to promote the purposes specified in such

section.".

2. On page 6, line 22, strike beginning with "in" through "2002-03"; in lines 23 and 26 after "dollars" insert "each year for two consecutive years"; and in line 25 after "Act" insert ", making such grant funds available on and after January 1, 2001".

3. On page 7, line 1, after "Act" insert ", making such funds available on and after the effective date of this act".

Senator Kiel filed the following amendment to LB 1348:
AM3009

(Amendments to E & R amendments, AM7233)

1. Insert the following new sections:

"Section 1. This act shall be known and may be cited as the Neighborhood Development Act.

Sec. 2. The Legislature finds that there is a need to:

(1) Stimulate local community development efforts statewide;

(2) Build an environment to engage in more effective community development; and

(3) Assist community improvement groups which have positive impacts upon the vitality, cohesiveness, and continued viability of both urban and rural communities throughout the state.

Sec. 3. The purposes of the Neighborhood Development Act are to:

(1) Strengthen neighborhoods and small communities by enhancing their ability to develop community development plans;

(2) Coordinate the use of existing programs and funds more efficiently and effectively in support of new programs and initiatives; and

(3) Revitalize declining neighborhoods and small communities, maintain the integrity of stable, viable neighborhoods and small communities, and strengthen existing neighborhoods and small communities.

Sec. 4. For the purposes of the Neighborhood Development Act:

(1) College means the College of Architecture of the University of Nebraska-Lincoln;

(2) Community improvement group means a neighborhood association or small community;

(3) Fund means the Neighborhood Development Grant Fund;

(4) Neighborhood association means an organization that is recognized or endorsed by an incorporated city or village or county as representing all of the residents within a specific, defined geographical area, with the organization representing those residents on a wide range of issues through an open meeting process with elected officers and regularly scheduled meetings; and

(5) Small community means an unincorporated village or an incorporated city of the second class or village as defined in sections 17-101 and 17-201.

Sec. 5. (1) The Neighborhood Development Grant Fund is created. The fund shall be used by the college to carry out its duties and responsibilities under the Neighborhood Development Act.

(2) The State Treasurer shall credit to the fund any money (a) appropriated to the fund by the Legislature, (b) donated as gifts, bequests, grants, or otherwise contributed to the fund from public or private sources, and (c) received pursuant to this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(3) The amount in the fund used in any budget year by the college to pay the expenses of the college in the performance of its duties under the act shall not exceed the amount appropriated by the Legislature to the fund in that budget year for that purpose.

Sec. 6. (1) The college shall award development grants to qualified community improvement groups through an application process. The college shall develop and provide requesting community improvement groups with an application form. The form shall be simple and concise, using nontechnical language, and the questions on the form shall be factual in nature.

(2) To be eligible for a grant, the applying community improvement group shall:

(a) Demonstrate that the grant funds will be used for a neighborhood or community project;

(b) Demonstrate with regard to the project:

(i) That it will provide a public benefit;

(ii) That it will provide a particular benefit to the applicant's neighborhood or small community;

(iii) That it will be completed within one year after the receipt of the grant;

(iv) That neighborhood or small community residents were involved in the identification and planning for the project and will be involved in the project's execution; and

(v) That the project does not duplicate an existing public program;

(c) Document verifiable goals for the project for which grant funds are requested; and

(d) Document that the applicant will bring to the project a match equivalent in money or in-kind services equal to the following scale:

(i) For a grant of five thousand dollars or less, a match equivalent to twenty-five percent of the amount of the grant sought;

(ii) For a grant of seven thousand five hundred dollars or less but more than five thousand dollars, a match equivalent to not less than twenty-six percent and no more than forty-nine percent of the amount of the grant sought; and

(iii) For a grant of ten thousand dollars or less but more than seven thousand five hundred dollars, a match equivalent to fifty percent or more of the amount of the grant sought.

(3) A recipient of a grant shall not use the grant funds for administrative support of the recipient, for the planning of a project, or for the administrative costs relating to the planning of a project. Not more than five percent of the grant funds received shall be expended by the recipient of the grant for expenses incurred in administering the grant. A recipient of a grant may not receive more than one grant for the same project, and a project may not receive more than one grant in any one year. No grant to a singe community improvement group shall exceed ten thousand dollars.

Sec. 7. In assessing the applications received from community improvement groups, the college shall weigh the relative merits of the applications, giving consideration to the following factors:

(1) The amount of the match;

(2) The level of involvement by persons living in the community;

(3) The community needs reflected in the application;

(4) The likelihood of the successful completion of the project;

(5) The innovative character of the proposed solution; and

(6) The efficiency of the proposed allocation of state, local, public, and private resources in solving the local community need.

Sec. 8. Upon completion of a project for which a grant has been received or within one year from the date of the receipt of a grant, whichever comes first, the recipient community improvement group shall provide the college with an evaluation reporting the results of the project.

Sec. 9. The college shall submit an annual report to the Governor and the Legislature on or before January 1 of each year listing the recipients and amounts of grants made pursuant to the Neighborhood Development Act in the previous year, the impact of the grants, and an evaluation of each project's performance based on the documented reports of the recipient community improvement groups.".

2. Renumber the remaining sections and correct internal references accordingly.

Senator Wehrbein filed the following amendment to LB 1348A:
AM3000

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $1,000,000 from the General Fund for FY2000-01 and (2) $1,000,000 from the General Fund for FY2001-02 to the Department of Agriculture, for

Program 27, to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $54,371 for FY2000-01 or $54,371 for FY2001-02.

There is included in the appropriation to this program for FY2000-01 $922,536 General Funds for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2001-02 $922,536 General Funds for state aid, which shall only be used for such purpose.

Sec. 2. There is hereby appropriated (1) $875,000 from the General Fund for FY2000-01 and (2) $875,000 from the General Fund for FY2001-02 to the Department of Economic Development, for Program 601, to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2000-01 $875,000 General Funds for state aid, which shall only be used for such purpose.

There is included in the appropriation to this program for FY2001-02 $875,000 General Funds for state aid, which shall only be used for such purpose.".

Senator Raikes filed the following amendment to LB 968:
AM3004

1. Insert the following new sections:

"Sec. 2. Section 23-114.03, Revised Statutes Supplement, 1999, is amended to read:

23-114.03. Zoning regulations shall be adopted or amended by the county board only after the adoption of the county comprehensive development plan by the county board and the receipt of the planning commission's specific recommendations or by adopting temporary zoning as provided in sections 23-115 to 23-115.02. Such zoning regulations shall be consistent with an adopted comprehensive development plan and designed for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Nebraska, including, among others, such specific purposes as:

(1) Developing both urban and nonurban areas;

(2) Lessening congestion in the streets or roads;

(3) Reducing the waste of excessive amounts of roads;

(4) Securing safety from fire and other dangers;

(5) Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;

(6) Providing adequate light and air;

(7) Preventing excessive concentration of population and excessive and wasteful scattering of population or settlement;

(8) Promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;

(9) Protecting the tax base;

(10) Protecting property against blight and depreciation;

(11) Securing economy in governmental expenditures;

(12) Fostering the state's agriculture, recreation, and other industries;

(13) Encouraging the most appropriate use of land in the county; and

(14) Preserving, protecting, and enhancing historic buildings, places, and districts.

Within the area of jurisdiction and powers established by section 23-114, the county board may divide the county into districts of such number, shape, and area as may be best suited to carry out the purposes of this section and regulate, restrict, or prohibit the erection, construction, reconstruction, alteration, or use of nonfarm buildings or structures and the use, conditions of use, or occupancy of land. All such regulations shall be uniform for each class or kind of land or buildings throughout each district, but the regulations in one district may differ from those in other districts. An official map or maps indicating the districts and regulations shall be adopted, and within fifteen days after adoption of such regulations or maps, they shall be published in book or pamphlet form or once in a legal newspaper published in and of general circulation in the county or, if none is published in the county, in a legal newspaper of general circulation in the county. Such regulations shall also be spread in the minutes of the proceedings of the county board and such map or maps filed with the county clerk. Nonfarm buildings are all buildings except those buildings utilized for agricultural purposes on a farmstead of twenty acres or more which produces one thousand dollars or more of farm products each year. A building used as a residence shall be considered a nonfarm building even if such building is located on a farmstead.

Sec. 68. Original section 23-114.03, Revised Statutes Supplement, 1999, is repealed.".

2. Correct the operative date section so that the sections added by this amendment become operative three calendar months following adjournment of this legislative session.

3. Renumber the remaining sections and correct internal references accordingly.

Senator Raikes filed the following amendment to LB 968:
AM3012

1. Insert the following new sections:

"Sec. 55. Section 77-3446, Revised Statutes Supplement, 1998, is amended to read:

77-3446. Base limitation means the budget limitation rate applicable to school districts and the limitation on growth of restricted funds applicable to other political subdivisions prior to any increases in the rate as a result of special actions taken by a supermajority of any governing board or of any exception allowed by law. The base limitation is two and one-half percent until adjusted. The base limitation may be adjusted annually by the Legislature to reflect changes in the prices of services and products used by school districts and political subdivisions. ~~The Revenue Committee of the Legislature shall on or before January 15 of each year hold a public hearing to receive and consider testimony, evidence, and reports.~~

Sec. 68. Original section 77-3446, Revised Statutes Supplement, 1998, is repealed.".

2. Correct the operative date section so that the sections added by this amendment become operative three calendar months following adjournment of this legislative session.

3. Renumber the remaining sections and correct internal references accordingly.

Senator Hilgert filed the following amendment to LB 1115:
AM2987

1. Insert the following section:

"Sec. 6. Section 52-401, Reissue Revised Statutes of Nebraska, is amended to read:

52-401. Whenever any person employs a physician, chiropractor, nurse, or hospital to perform professional service or services of any nature, in the treatment of or in connection with an injury, and such injured person claims damages from the party causing the injury, such physician, chiropractor, nurse, or hospital, as the case may be, shall have a lien upon any sum awarded the injured person in judgment or obtained by settlement or compromise on the amount due for the usual and customary charges of such physician, chiropractor, nurse, or hospital applicable at the times services are performed, except that no such lien shall be valid against anyone coming under the Nebraska Workers' Compensation Act.

In order to prosecute such lien, it shall be necessary for such physician, chiropractor, nurse, or hospital to serve a written notice upon the person or corporation from whom damages are claimed that such physician, chiropractor, nurse, or hospital claims a lien for such services and stating the amount due and the nature of such services, except that whenever an action is pending in court for the recovery of such damages, it shall be sufficient to file the notice of such lien in the pending action.

A physician, chiropractor, nurse, or hospital claiming a lien under this section shall not be liable for attorney's fees and costs incurred by the injured person in securing the judgment, settlement, or compromise, but the lien of the injured person's attorney shall have precedence over the lien created by this section.

Upon a written request and with the injured person's consent, a lienholder shall provide medical records, answers to interrogatories, depositions, or any expert medical testimony related to the recovery of damages within its custody and control at a reasonable charge to the injured person.".

2. On page 96, line 17, after the last comma insert "52-401,".

3. Renumber the remaining sections accordingly.

VISITORS

Visitors to the Chamber were Linda and Mike Voosen from Bloomington, Minnesota and Teresa L. Stitcher Fritz from Lincoln; former Senator Connie Day, and son, Brandon, from Norfolk; Steve Voigt from Kearney; Susan Breunig from Wahoo; Senator Vrtiska's son, Kim Vrtiska, from Tecumseh; Jeff, Yvette, Trevor, and Silas Percival from Colorado Springs, Colorado; and 10 students and teacher from McPhee Elementary School, Lincoln.

The Doctor of the Day was Dr. Kevin Schierling from Lincoln.

ADJOURNMENT

At 5:36 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Thursday, March 23, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-EIGHTH DAY - MARCH 23, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 23, 2000

PRAYER

The prayer was offered by Father Martin Conley, Holy Family Catholic Church, Decatur, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Aguilar, Bohlke, Brashear, Bromm, Crosby, Dierks, Hilgert, Hudkins, Kiel, Kristensen, Landis, Dw. Pedersen, D. Pederson, Price, Robak, and Schmitt who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-seventh day was approved.

GENERAL FILE

LEGISLATIVE BILL 1124A. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 5 present and not voting, and 16 excused and not voting.

LEGISLATIVE BILL 1399A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 1 nay, 6 present and not voting, and 13 excused and not voting.

LEGISLATIVE BILL 936. The Standing Committee amendment, AM2736, printed separately and referred to on page 1025 and considered on page 1162, was renewed.

Senator Beutler withdrew his amendment, FA335, found on page 1162.

Senator Beutler renewed his pending amendment, FA336, found on page 1188, to the Standing Committee amendment.

Pending.

SELECT COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 973. Placed on Select File as amended.
(E & R amendment, AM7244, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Urban Affairs

LEGISLATIVE BILL 370. Indefinitely postponed.
LEGISLATIVE BILL 371. Indefinitely postponed.
LEGISLATIVE BILL 428. Indefinitely postponed.
LEGISLATIVE BILL 1371. Indefinitely postponed.

(Signed) D. Paul Hartnett, Chairperson

Education

LEGISLATIVE BILL 1324. Placed on General File.

(Signed) Ardyce L. Bohlke, Chairperson

AMENDMENT - Print in Journal

Senator Wehrbein filed the following amendment to LB 572:
AM3013

1. Insert the following new sections:

"Section 1. Section 19-405, Revised Statutes Supplement, 1999, is amended to read:

19-405. (1) Any person desiring to become a candidate for the office of council member provided for in section 19-404 shall file a candidate filing form as provided in sections 32-606 and 32-607 and pay the filing fee as provided in section 32-608.

(2) Candidates shall be nominated at large either at the statewide primary election or by filing a candidate filing form if there are not more than two candidates who have filed for each position or if the council waives the requirement for a primary election.

(3) The council may waive the requirement for a primary election by adopting an ordinance prior to January 5 of the year in which the primary election would have been held. If the council waives the requirement for a primary election, all candidates filing candidate filing forms by ~~August 1 prior to the date of the general election as~~ the deadline provided in subsection (2) of section 32-606 shall be declared nominated. If the council does not waive the requirement for a primary election and if there are not more than two candidates filed for each position to be filled, all candidates filing candidate filing forms by the deadline prescribed in subsection (1) of section 32-606 shall be declared nominated as provided in subsection (1) of section 32-811 and their names shall not appear on the primary election ballot.

Sec. 4. Section 32-606, Revised Statutes Supplement, 1999, is amended to read:

32-606. (1) Any candidate may place his or her name on the primary election ballot by filing a candidate filing form prescribed by the Secretary of State as provided in section 32-607. If a candidate for an elective office is an incumbent, the deadline for filing the candidate filing form shall be February 15 prior to the date of the primary election. No incumbent who resigns from elective office prior to the expiration of his or her term shall file for any office after February 15 of that election year. All other candidates shall file for office by March 1 prior to the date of the primary election. A candidate filing form may be transmitted by facsimile for the offices listed in subdivision (1) of section 32-607 if (a) the transmission is received in the office of the filing officer by the filing deadline and (b) the original filing form is mailed to the filing officer with a legible postmark bearing a date on or prior to the filing deadline and is in the office of the filing officer no later than seven days after the filing deadline.

(2) Any candidate for a township office in a county under township organization, the city council of a city under the commission plan of government, the board of trustees of a village, the board of directors of a reclamation district, the county weed district board, the board of directors of a public power district receiving annual gross revenue of less than forty million dollars, the school board of a Class II school district, the board of trustees of a road improvement district, or the board of an educational service unit may place his or her name on the general election ballot by filing a candidate filing form prescribed by the Secretary of State as provided in section 32-607. If a candidate for an elective office is an incumbent, the deadline for filing the candidate filing form shall be July 15 prior to the date of the general election. No incumbent who resigns from elective office prior to the expiration of his or her term shall file for any office after July 15 of that election year. All other candidates shall file for office by August 1 prior to the date of the general

election. A candidate filing form may be transmitted by facsimile for the offices listed in subdivision (1) of section 32-607 if (a) the transmission is received in the office of the filing officer by the filing deadline and (b) the original filing form is mailed to the filing officer with a legible postmark bearing a date on or prior to the filing deadline and is in the office of the filing officer no later than seven days after the filing deadline.

(3) Any city having a home rule charter may provide for filing deadlines for any person desiring to be a candidate for the office of council member or mayor.

Sec. 9. Section 39-1606, Reissue Revised Statutes of Nebraska, is amended to read:

39-1606. Any resident property owner desiring to file for the office of trustee of a road improvement district may file for such office with the county clerk or election commissioner of the county in which the greater proportion in area of the district is located, ~~not later than forty-five days before the election~~ on or before the deadline provided in subsection (2) of section 32-606, by paying a filing fee of five dollars. At the first meeting of the trustees of such district after the election of one or more members at an election pursuant to section 32-551, the board shall elect one of their number president. Such district shall be a body corporate and politic by name of Road Improvement District No. .... of .... County or .... Counties, as the case may be, with power to sue, be sued, contract, acquire and hold property, and adopt a common seal. Each trustee shall receive as his or her salary the sum of five dollars for each meeting.

Sec. 10. Sections 1, 4, 9, 10, 11, and 13 of this act become operative on their effective date. The other sections of this act become operative three calendar months after adjournment of this legislative session.

Sec. 11. Original section 39-1606, Reissue Revised Statutes of Nebraska, and sections 19-405 and 32-606, Revised Statutes Supplement, 1999, are repealed.

Sec. 13. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. Renumber the remaining sections and correct internal references accordingly.

GENERAL FILE

LEGISLATIVE BILL 936. The Beutler pending amendment, FA336, found on page 1188 and considered on page 1232, to the Standing Committee amendment, was renewed.

Senator Wehrbein moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

The Beutler amendment was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA341
Amend AM2736
P. 4, lines 20-22, strike "sales to the ultimate consumer of food prepared for immediate consumption or" and renumber.

SENATOR CUDABACK PRESIDING

Pending.

AMENDMENTS - Print in Journal

Senator Kristensen filed the following amendment to LB 1145:
(Amendment, AM2988, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Jensen filed the following amendment to LB 1115:
AM2933

1. Insert the following sections:

"Sec. 3. Section 28-720, Reissue Revised Statutes of Nebraska, is amended to read:

28-720. (1) All cases in the central register as of the operative date of this section shall continue to be classified in one of the following categories: (1) Court substantiated; (2) petition to be filed; (3) investigation inconclusive; or (4) unfounded report, whichever the case may be. All information identifying the subjects of unfounded reports shall be expunged from the register. ~~forthwith.~~

(2) On and after the operative date of this section, all cases entered on the central register shall be classified in one of the following categories of substantiation:

(a) Court substantiated, if a court of competent jurisdiction has entered a judgment of guilty upon a criminal complaint, indictment, or information or there has been an adjudication of a juvenile petition under subdivision (3)(a) of section 43-247 which relates or pertains to the same subject matter as the report of abuse or neglect;

(b) Court pending, if a criminal complaint, indictment, or information or a juvenile petition under subdivision (3)(a) of section 43-247, which relates or pertains to the same subject matter as the report of abuse or neglect, has been filed in a court of competent jurisdiction; or

(c) Agency substantiated, if based on an investigation pursuant to section 28-713 and a preponderance of evidence indicates that abuse or neglect occurred.

All reports of child abuse or neglect which are not substantiated under subdivisions (2)(a), (b), or (c) of this section shall be considered unfounded and shall not be maintained on the central register.

Sec. 124. Sections 3 and 125 of this act become operative three calendar months after adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 125. Original section 28-720, Reissue Revised Statutes of Nebraska, is repealed.".

2. Renumber the remaining sections and correct internal references accordingly.

RESOLUTION

LEGISLATIVE RESOLUTION 339. Introduced by Byars, 30.

PURPOSE: Nebraska has a significant lack of persons trained or equipped to respond to emergencies involving hazardous materials. Primarily only the larger fire departments are prepared to respond to such incidents. Thus there are large geographical areas of Nebraska where there is little or no coverage for hazardous materials incidents.

There are serious liability and other consequences to this, including property damage, death and injuries to responders and others, environmental catastrophes, legal liability for damages caused by responders who respond above their level of certification and training, and criticism when they fail to respond.

Fire departments and other responders that are prepared to respond to hazardous materials emergencies should be encouraged to join with other responders in a geographical area to create cooperative regional response teams.

Municipal fire departments that are trained to respond to hazardous materials emergencies are funded by municipal sources and generally do not respond outside their jurisdictions. Because of spending and levy limits, they are financially unable to support the infrastructure of regional response teams. Smaller fire departments and other emergency response agencies do not have the financial resources to respond or to contribute to the departments that can respond.

Because of the variety of sources of hazardous materials incidents and the statewide nature of this situation, Legislative Bill 1262, Ninety-sixth Legislature, Second Session, 2000, was introduced to provide state funding for regional hazardous materials response teams. The bill was heard by the Government, Military and Veterans Affairs Committee of the Legislature. The purpose of this interim study resolution is to examine the issues raised by LB 1262, including, but not limited to:

1. The levels of response specified in federal standards and the potential liability of political subdivisions for responding to hazardous materials incidents in a manner that is not consistent with those federal standards;
2. The costs to equip, train, and maintain regional response teams

throughout the state;

3. The use of state general funds or other state funding for this purpose;
4. Any federal funds that might be available for this purpose;
5. Other possible sources of funding such as funds from the Nebraska Environmental Trust Fund, a fee on motor vehicle registrations, or a fee on residential and commercial insurance policies;
6. The appropriate state agency to administer such a program and any funding;
7. Whether political subdivisions should be required to provide a full or partial match for any funding and, if so, whether the match should be actual dollars or a soft match;
8. Whether funding should be provided for needs other than hazardous materials response such as confined space rescue, rope rescue, vehicle extrication, and response to terrorism or for equipment such as jaws-of-life units, search and rescue equipment, rope rescue equipment, and atmosphere monitors; and
9. Whether a state agency should designate the regions or whether the regions should be allowed to develop over time as political subdivisions join together to organize regional response efforts and apply for available funding.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 1115. Title read. Considered.

The Standing Committee amendment, AM2715, printed separately and referred to on page 1030, was considered.

Senator Jensen offered the following amendment to the Standing Committee amendment:

AM3024

(Amendments to Standing Committee amendments, AM2715)

1. Strike sections 12, 13, 14, 17, 18, 19, 20, 22, 26, 32, 33, 36, 37, 38, 39, 40, 42, 87, 88, 89, 90, 91, 92, 95, 96, 97, 98, 99, 100, 101, 102, 106, 118, and 126.
2. On page 1, line 1, strike "77, and 78" and insert "and 77".
3. On page 46, lines 16 through 18, strike the new matter.

4. Renumber the remaining sections, correct internal references, and correct repealer accordingly.

The Jensen amendment was adopted with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

Senator Thompson offered the following amendment to the Standing Committee amendment:
AM3025

(Amendments to AM2715)

1. Insert the following sections:

"Sec. 74. Section 71-5707, Revised Statutes Supplement, 1999, is amended to read:

71-5707. (1) No person shall smoke in a public place or at a public meeting except in designated smoking areas. This prohibition does not apply in cases in which an entire room or hall is used for a private social function and seating arrangements are under the control of the sponsor of the function and not of the proprietor or person in charge of such room or hall.

(2) With respect to factories, warehouses, and similar places of work not usually frequented by the general public, the Department of Health and Human Services Regulation and Licensure shall, in consultation with the Department of Labor, establish rules to restrict or prohibit smoking in those places of work where the close proximity of workers or the inadequacy of ventilation causes smoke pollution detrimental to the health and comfort of nonsmoking employees.

(3) Smoking is prohibited in all vehicles owned or leased by the state and in all buildings, and the area within ten feet of any entrance of such buildings, which are owned, leased, or occupied by the state or its political subdivisions except as provided in subsections (4), (5), and (6) of this section.

(4) The following buildings or areas within buildings in which persons reside or lodge may be exempt from this section: (a) Nebraska veterans homes established pursuant to section 80-315; (b) private residences; (c) facilities and institutions under the control of the Department of Health and Human Services; and (d) overnight lodging facilities and buildings managed by the Game and Parks Commission, but no more than twenty-five percent of the overnight lodging facilities at each park location shall permit smoking.

(5) Designated smoking areas not to exceed fifty percent of the space used by the public may be established in state-owned buildings at the Nebraska State Fairgrounds that possess a Class C, I, or M license for the sale of alcoholic liquor for consumption on the premises under the Nebraska Liquor Control Act.

(6) Smoking may be permitted in no more than forty percent of the residential housing rooms or units owned or leased on each campus under the control of the Board of Regents of the

University of Nebraska or the Board of Trustees of the Nebraska State Colleges.

Sec. 75. Section 71-5713, Reissue Revised Statutes of Nebraska, is amended to read:

71-5713. The Department of Health and Human Services Regulation and Licensure, a local board of health, or any affected party may institute an action in any court with jurisdiction to enjoin any violation of ~~section 71-5707~~ the Nebraska Clean Indoor Air Act.".

2. Renumber the remaining sections, correct internal references, and correct repealer accordingly.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Jensen moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 2 nays, and 20 not voting.

The Thompson amendment was adopted with 26 ayes, 7 nays, 14 present and not voting, and 2 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 34 ayes, 0 nays, 14 present and not voting, and 1 excused and not voting.

Senator Lynch withdrew his amendment, AM2723, found on page 1099.

Advanced to E & R for review with 40 ayes, 1 nay, 7 present and not voting, and 1 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 340. Introduced by Wickersham, 49; Bromm, 23.

PURPOSE: The purpose of this study is to examine the train mile tax, the gas tax, and the needs of the state in improving railroad crossings. The study shall determine the appropriate level of state contribution to improve railroad crossings and the most appropriate state tax for financing that amount.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT - Print in Journal

Senator Byars filed the following amendment to LB 1115:
AM3027

(Amendments to Standing Committee amendments, AM2715)

1. Insert the following sections:

"Sec. 13. Section 71-133, Revised Statutes Supplement, 1999, is amended to read:

71-133. (1) The oral or practical work portion of any examination for licensure or certification under the Uniform Licensing Law shall be given by a majority of the members of the appropriate professional board except in dentistry. The oral examination questions shall be limited to the practice of the profession. The members of the board need not be present at the examination given to applicants when a national examination or any other written examination is utilized. Such board may delegate the administration of such examination to the department. The department may designate an organization to administer a national or written examination.

(2) In dentistry, the final practical examination in clinical dentistry may be given at ~~the infirmary of~~ each of the dental colleges, schools, or departments legally conducted in the State of Nebraska. ~~of which the applicant is a graduate.~~ The Central Regional Dental Testing Service practical examination or any other regional or state practical examination that the Board of Dentistry determines to be comparable to the Central Regional Dental Testing Service practical examination may be used to meet the requirement of a final practical examination for dentists and for dental hygienists. Any person who applies for a license to practice dentistry or dental hygiene who has failed on one occasion to pass the oral ~~practical~~ examination administered by the ~~Board of Dentistry~~ board shall be required to subsequently take and pass the ~~Central Regional Dental Testing Service~~ practical examination before the department shall consider the applicant's qualifications for a license to practice dentistry or dental hygiene in the State of Nebraska. Any person who applies for a license to practice dentistry or dental hygiene who has failed on two occasions to pass any part of the examination shall be required to complete a course in clinical dentistry approved by the board before the department shall consider the results of a third examination as a valid qualification for a license to practice dentistry or dental hygiene in the State of Nebraska.

Sec. 14. Section 71-161.10, Revised Statutes Supplement, 1999, is amended to read:

71-161.10. (1) Upon the establishment of such standards for recredentialing by any professional board, by rule and regulation, and with the approval of the department, each credentialed person in active practice within the state shall, on or before the date of expiration of his or her credential in the year the requirement applies, certify on an affidavit form provided by the appropriate professional board that he or she has complied with section 71-161.09 during the preceding two-year period. The board shall, on or before the date of expiration of the credential in the year the requirement applies, report each credentialed person who has complied with the educational requirements to the department. A credentialed person who has not complied with such requirement shall not be issued a renewal credential unless such requirements are waived or unless such credentialed person is unable to comply due to circumstances beyond his or her control. Procedures for nonrenewal of the credential due to failure to submit proof of continuing education shall be identical to those for nonpayment of renewal fees as provided in sections 71-110 and 71-149, as well as procedures for reinstatement of the same. In cases other than nonrenewal, the procedures in sections 71-149 and 71-150 for refusal to renew shall apply. The department, on the recommendation of the appropriate professional board, may waive continuing education requirements, in part or in total, for any two-year credentialing period when a credentialed person submits documentation that circumstances beyond his or her control prevented completion of such requirements. Such circumstances shall include situations in which:

(a) The credentialed person holds a Nebraska credential but is not practicing his or her profession or occupation in Nebraska;

(b) The credentialed person has served in the regular armed forces of the United States during part of the twenty-four months immediately preceding the renewal date;

(c) The credentialed person has submitted proof that he or she was suffering from a serious or disabling illness or physical disability which prevented completion of the required number of continuing education hours during the twenty-four months immediately preceding the renewal date; and

(d) The credentialed person was first credentialed within the twenty-four months immediately preceding the renewal date, except as provided in subdivision (4) of section 71-1,136.01.

The department, with the consent of the appropriate board, may adopt and promulgate rules and regulations not inconsistent with this section pertaining to waiver of continuing education requirements.

(2) Each credentialed person shall provide a sworn affidavit listing continuing education activities in which he or she participated or attended, the amount of credit received for each activity, and the date, location, and name of the approved provider which sponsored the activity on a separate form or portion of the renewal application as may be designed by the department. Each credentialed person shall be responsible for maintaining in his or her personal files such certificates or records of credit from continuing education activities received from approved

providers.

The appropriate board may biennially select, in a random manner, a sample of the renewal applications for audit of continuing education credits. Each credentialed person selected for audit shall be required to produce documentation of his or her attendance at the continuing education seminars listed on his or her renewal application.

Sec. 17. Section 71-183.02, Revised Statutes Supplement, 1999, is amended to read:

71-183.02. For purposes of sections 71-183 to 71-193.20 and section 20 of this act, dental assistant means a person, other than a dental hygienist, employed by a licensed dentist for the purpose of assisting such dentist in the performance of his or her clinical and clinical-related duties.

Sec. 18. Section 71-193.04, Revised Statutes Supplement, 1999, is amended to read:

71-193.04. Any person (1) of good moral character, (2) who has attained the age of eighteen years, and (3) who is a graduate of a training school for dental hygienists that is accredited by the Commission on Dental Accreditation of the American Dental Association and is approved by the Board of Dentistry and that requires a course of not less than two academic years may be examined by such board on the subjects considered essential by it for a dental hygienist. Upon passage of the examination, the board shall recommend to the department that a license to practice as a dental hygienist be issued.

Sec. 19. Section 71-193.16, Revised Statutes Supplement, 1999, is amended to read:

71-193.16. ~~As used in~~ For purposes of sections 71-183 to 71-193.20 and section 20 of this act, (1) general supervision means the directing of the authorized activities of a dental hygienist or dental assistant by a licensed dentist and shall not be construed to require the physical presence of the supervisor when directing such activities and (2) indirect supervision means supervision when the licensed dentist authorizes the procedure to be performed by a dental hygienist or dental assistant and the licensed dentist is physically present on the premises when such procedure is being performed by the dental hygienist pursuant to section 71-193.18 or the dental assistant.

Sec. 20. A dental hygienist student who practices dental hygiene upon patients in a clinic in the regular course of instruction in an accredited dental hygiene education program is not engaged in the unauthorized practice of dental hygiene.

Sec. 26. Section 71-1,136.01, Revised Statutes Supplement, 1999, is amended to read:

71-1,136.01. Each Nebraska-licensed optometrist in active practice within the State of Nebraska shall be required on or before August 1 of each even-numbered year to attend thirty-two hours biennially, of which sixteen hours shall be earned annually, of such approved scientific schools, clinics, forums, lectures, or optometric educational seminars, as may be announced and approved by the Board of Optometry, as a prerequisite for the licensee's next subsequent license renewal if at least sixteen hours of such educational program are conducted annually in the State of Nebraska and at least thirty-two hours of such educational program are conducted biennially in the State of Nebraska.

Each licensed optometrist in active practice within the State of Nebraska shall, on or before August 1 of each even-numbered year, certify on forms provided by the board that he or she has complied with sections 71-1,133 to 71-1,136 and this section during the preceding two-year period. Such board shall, on or before August 1 of each even-numbered year, report all licensees who have complied with the educational requirements to the department. Licensees who have not complied with such requirements shall not be issued a renewal license unless exempt or excused for good cause shown. The department, on the recommendation of the board, may waive continuing education requirements, in part or in total, for any two-year licensing period when a licensee submits documentation that circumstances beyond his or her control prevented completion of such requirements. Such circumstances shall include situations in which:

(1) The licensee holds a Nebraska license but is not practicing optometry in Nebraska;

(2) The licensee has served in the regular armed forces of the United States during part of the twenty-four months immediately preceding the license renewal date;

(3) The licensee has submitted proof that he or she was suffering from a serious or disabling illness or physical disability which prevented completion of the required number of continuing education hours during the twenty-four months immediately preceding any license renewal date; and

(4) The licensee was first licensed within the ~~twenty-four~~ twenty-six months immediately preceding the renewal date provided in section 71-110.

The department, with the consent of the board, may adopt and promulgate rules and regulations not inconsistent with this section pertaining to waiver of continuing education requirements.

Each licensee shall provide a sworn affidavit listing continuing education activities in which he or she participated or attended, the amount of credit received for each activity, and the date, location, and name of the approved provider which sponsored the activity on a separate form or portion of the license renewal application as may be designed by the department. Each licensee shall be responsible for maintaining in his or her personal files such certificates or records of credit from continuing education activities received from approved providers.

The board may biennially select, in a random manner, a sample of the license renewal applications for audit of continuing education credits. Each licensee selected for audit shall be required to produce documentation of his or her attendance at the continuing education seminars listed on his or her renewal application.".

2. Renumber the remaining sections, correct internal references, and amend repealer accordingly.

VISITORS

Visitors to the Chamber were 42 fourth grade students and teachers from Plattsmouth; 50 seniors from Northeast High School, Lincoln; 43 seventh grade students and teachers from Sandy Creek Public School, Fairfield; 16 students and teachers from Twin Valley; Chris Nowicki from Omaha; and Randy and Cindy Thomas from Lincoln.

RECESS

At 11:57 a.m., on a motion by Senator Aguilar, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Bromm, Coordsen, Cudaback, Dickey, Engel, Hudkins, Jones, Kristensen, Lynch, Robak, and Suttle who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 936. The Chambers pending amendment, FA341, found on page 1235, to the Standing Committee amendment, was renewed.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 15 ayes, 0 nays, and 34 not voting.

The Chambers amendment lost with 14 ayes, 20 nays, 8 present and not voting, and 7 excused and not voting.

Pending.

The Chair declared the call raised.

RESOLUTIONS

LEGISLATIVE RESOLUTION 341. Introduced by Wickersham, 49; Wehrbein, 2.

PURPOSE: The purpose of this study is to identify all state or federal cemetery facilities available to veterans statewide and determine if they meet the current and future needs of veterans and their families. Construction and operations costs of state veterans cemeteries in Box Butte and Hall counties shall be examined. Input shall be sought from the Department of Veterans' Affairs, various veterans' organizations, and other interested parties to address these questions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 342. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25; Redfield, 12.

PURPOSE: Nebraska has in place several economic development tax incentives. Most have been in operation long enough that conclusions may be drawn as to the long-term impacts of these initiatives. For example, from the date of enactment of the Employment and Investment Growth Act through the year 1999, more than $1.5 billion of credits and refunds have been earned by companies qualifying under the act, and over $1 billion of credits and refunds have been used. While the number of new jobs measured by full-time equivalents is reported to be about 60,000, detailed analysis shows that more than half of the FTE jobs are not new positions created, but are increases in hours for existing employees. Measured against employment in actual new jobs, the cost of the program is approximately $50,000 per job in credits and refunds earned, and $37,000 per job in credits and refunds used to date. Assuming that 30% of the projects would not have occurred absent the existence of the Employment and Investment Growth Act, state revenue growth due to the new business that would not be in Nebraska absent the act falls short of the amount of credits used by approximately $20 million per year.

For the Quality Jobs Act, the expected increase in state revenue is also less than the value of the benefits granted. New economic models show that, even assuming that all projects qualifying for benefits under the Quality Jobs Act would not have occurred without the benefits, the expected state revenue growth due to increased economic activity totals 15% to 50% of the foregone tax revenue over the first ten years of the project.

The revenue loss resulting from these initiatives will make it increasingly difficult to provide meaningful state tax relief for all Nebraskans in the future. In addition to the cost of these programs to the state, their presence causes changes in the economic base of the state that may or may not be desirable. New economic models show that when labor is a scarce resource, job growth in some industries or regions results in job losses in other industries or regions. Growth in areas of the state that are already growing places stress on local government infrastructure and services. This in turn means higher property taxes in those areas. Refunds of local taxes add to this difficulty and cause problems for local governments that count on stable revenue when developing budgets.

These costs and negative impacts are of concern to the Legislature. They impair our ability to meet at least two other objectives: Tax equity and tax relief for all Nebraskans.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature, together with the Department of Revenue and the Legislative Fiscal Office should undertake a review of the Employment and Investment Growth Act and the Quality Jobs Act with the goal of targeting those programs to achieve state goals more precisely. The study should make use of the Legislature's IMPLAN and CGE models in this attempt to achieve the following:

a. Businesses qualifying should be examined to limit the reach of these acts to those projects that create the most jobs, the best jobs, the most spin-off employment, and the smallest cost to the taxpayer;

b. Qualifications should be examined to minimize job losses in more rural areas of Nebraska; and

c. Procedures should be examined to allow local governments to plan and budget for the refund of or exemption from local taxes caused by these programs.

2. The Revenue Committee shall make recommendations for changes in the Employment and Investment Growth Act and the Quality Jobs Act and issue a report summarizing its recommendations to the Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 343. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25; Redfield, 12.

PURPOSE: The sales tax may be the tax program that is under the most economic pressure at this point in time. In the modern economy, more and more goods and services are purchased from remote vendors both by traditional means and through the Internet. Constitutional restrictions prevent our state from enforcing a collection responsibility against remote sellers with no physical presence in the State of Nebraska. This in turn makes our tax system more and more discriminatory with regard to merchants in the state and consumers that purchase from them.

Under economic and political constraints that will continue to prevent collection of the sales tax on an equitable basis, that is, treating all purchasers of property and services the same, Nebraska may have to consider a significant change in its sales and use tax system. Among these changes could be (1) more uniformity with surrounding states with regard to base subject to tax, cumulative tax rates, and procedures for collection; (2) multi-state collection agreements; and (3) systems that minimize or even eliminate any burden borne by the seller in collecting the tax.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 344. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25.

PURPOSE: The purpose of this study is to develop and examine ways in which the taxpayer appeal process through the Tax Equalization and Review Commission may be made more taxpayer friendly. The study shall examine formality, procedures, required filings, composition of the commission, administrative resources and needs, and the standard of proof to be met in appeals from a county board of equalization decision.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 345. Introduced by Revenue Committee: Wickersham, 49, Chairperson; Bohlke, 33; Coordsen, 32; Dierks, 40; Hartnett, 45; Landis, 46; Raikes, 25; Redfield, 12.

PURPOSE: The purpose of this resolution is to examine Nebraska's overall tax structure. The study shall examine the burden borne by Nebraska taxpayers in the aggregate compared to that of taxpayers in other states by various measures, and the burden on individual taxpayers as affected by exemptions from tax, tax credits, and other preferences granted to some taxpayers as compared to others. The study will examine whether tax burdens are similar for similarly situated taxpayers with a focus on tax equity. The study is to examine all of the major tax programs used in Nebraska, the exemptions, credits, and other preferences granted within those tax bases, our relative reliance on each, and the combined burden they place on Nebraska taxpayers in a variety of situations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 346. Introduced by Wickersham, 49; Redfield, 12; Raikes, 25.

PURPOSE: The purpose of this study is to examine the property tax exemption standards and procedures. The study shall examine the amount and use of exempt property in Nebraska, the differences in what might be exempt in some counties as compared to others, and the need for more definite state standards governing the granting of property tax exemptions. The study shall also examine the procedures for granting property tax exemptions. If a property tax exemption is denied, how should applicants for the tax exemption appeal the validity of the exemption as an issue separate and apart from the value placed on the property, if taxable? The study of procedures shall also determine if they adequately protect the public and give assurance that the ownership and use of the property justifies the exemption. A key issue is whether or not there is sufficient opportunity for members of the public and other interests to consider the impact exempt property has on the remaining taxpayers and have input into the process.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 347. Introduced by Redfield, 12; Wickersham, 49; Raikes, 25.

PURPOSE: The purpose of this study is to examine the personal income tax system in an effort to consider changes that would provide more equity for working couples. The nature of the Nebraska workforce has changed over the past thirty years and includes far more working couples than was true when the income tax brackets, exemptions, and deductions were developed.

The study should look at the number of Nebraska couples that benefit from a "marriage bonus" versus the number that are subject to a "marriage penalty", develop alternatives in an attempt to achieve a better balance between the two, and determine the cost of implementing alternatives. Alternatives examined should include changes in tax brackets and the standard deduction as well as alternative filing options.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 348. Introduced by Wickersham, 49.

PURPOSE: The recent United States Supreme Court decision in the case of South Central Bell Telephone Co. v. Alabama, has caused many to examine Nebraska's system of corporate occupation tax. Nebraska may want to consider reforming the tax in light of our rapidly changing economy and the implications of the Commerce Clause of the United States Constitution. This study should examine ways of achieving uniform treatment of foreign versus domestic corporations without significantly damaging the fiscal situation of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 349. Introduced by Wickersham, 49.

PURPOSE: This study shall examine occupation taxes. Occupation taxes are a large and growing aspect of municipal finance. The study should determine the amount of occupation taxes collected and the role they play in financing municipal operations. The committee shall determine whether or not occupation taxes are significant enough that state law should restrict their growth as is the case with most other taxes collected by local governments.

The study should also examine whether or not counties should have a similar power to collect occupation taxes on businesses outside a municipality's taxing jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE

NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 936. Senator Chambers offered the following amendment to the Standing Committee amendment:
FA342
Amend AM2736
Page 5, strike subsection (15) and renumber, and at page 7 strike section 4 and renumber.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

The Chambers amendment lost with 1 aye, 19 nays, 23 present and not voting, and 6 excused and not voting.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM3034

(Amendments to AM2736)

1. On page 13, line 18; and page 14, line 4, strike "immediately due and payable" and insert "due as of the time the tax should have been due were it not for the credits granted under the act and immediately payable. Interest shall be added to the amount, calculated from the time the tax would have been due were it not for the credits granted under the act until the recaptured taxes are delinquent, at a rate of six percent per annum".
2. On page 14, after line 21 insert the following new subsection:

"(7) Taxes recaptured under the act shall be delinquent sixty days after notification from the Tax Commissioner of recapture.".

Senator Beutler moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

Senator Beutler requested a roll call vote on his amendment.

Voting in the affirmative, 17:

Beutler Bohlke Bourne Bromm Chambers
Connealy Hilgert Kiel Kristensen Landis
Price Quandahl Redfield Robak Schimek
Thompson Wickersham

Voting in the negative, 20:

Aguilar Baker Bruning Byars Crosby
Dickey Engel Hudkins Jensen Jones
Kremer Matzke Pedersen, Dw. Pederson, D. Raikes
Schrock Smith Stuhr Vrtiska Wehrbein

Present and not voting, 8:

Brown Coordsen Cudaback Hartnett Janssen
Preister Schmitt Suttle

Excused and not voting, 4:

Brashear Dierks Lynch Tyson

The Beutler amendment lost with 17 ayes, 20 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA343
Amend AM2736
P. 5, line 2, put a semicolon after "pens" and strike remaining language through "vegetation" in line 3.

The Chambers amendment was adopted with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Senators Hilgert and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Advanced to E & R for review with 38 ayes, 3 nays, 5 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 936A. Title read. Considered.

Senators Bruning, Coordsen, and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Advanced to E & R for review with 36 ayes, 2 nays, 5 present and not voting, and 6 excused and not voting.

STANDING COMMITTEE REPORT
Natural Resources

LEGISLATIVE BILL 1381. Placed on General File as amended.
Standing Committee amendment to LB 1381:
AM3026

1. Strike original section 3 and insert the following new sections:

"Sec. 3. (1) The Niobrara Council is created. The council membership shall include:

(a) A representative of each of the county boards of Brown, Cherry, Keya Paha, and Rock counties chosen by the county board of the respective county;

(b) A representative of the Middle Niobrara Natural Resources District and the Lower Niobrara Natural Resources District chosen by the board of the respective district;

(c) The secretary of the Game and Parks Commission or his or her designee;

(d) A representative of the United States Fish and Wildlife Service and a representative of the National Parks Service chosen by the Governor from lists of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the federal services;

(e) An individual from each of Brown, Cherry, Keya Paha, and Rock counties who resides in the Niobrara River drainage area and owns land in the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, from each county submitted by the county board representatives on the council;

(f) A representative from a recreational business operating within the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, of fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council;

(g) A timber industry representative operating within the Niobrara scenic river corridor chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council; and

(h) A representative of a recognized, nonprofit, environmental, conservation or wildlife organization chosen by the Governor from a list of at least three individuals, or fewer if there are not at least three qualified individuals, submitted by the county board representatives on the council.

The council members shall be selected within ninety days after the effective date of this act. The council members shall hold office for three-year terms and until a successor is appointed and qualified. The council members shall serve at the pleasure of the appointing board or the Governor.

(2) The council shall elect a chairperson, a vice-chairperson, a secretary, and a treasurer who shall jointly serve as the executive committee for the council. The council shall meet on a regular basis, preferably once a month, with a minimum of six meetings per year. Special meetings may be called by any member of the executive committee or at the request of a simple majority of the members of the council.

(3) A majority of the council members shall be present at a meeting before any action may be taken by the council. The majority shall be determined from the number of council members who are selected and are serving rather than the number of possible members. All actions of the council require a majority vote of all council members present at any meeting, except that any vote to reject any zoning regulation or variance under section 6 of this act shall be by two-thirds of all the council members selected and serving. A council member may not participate or vote on any matter on which he or she participated or voted on as a member of a county board, county planning commission, or natural resources district board, and in such a case such council member shall not be counted for purposes of determining whether quorum or vote requirements have been satisfied.

(4) Members shall be reimbursed for actual and necessary expenses incurred in carrying out their duties on the council as provided in sections 81-1174 to 81-1177.

Sec. 8. The Niobrara Council shall not have zoning jurisdiction outside the boundaries of the Niobrara scenic river corridor.

Sec. 13. If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.".

2. On page 2, strike beginning with "as" in line 5 through "authority" in line 6 and insert "with the express authority and responsibility"; in lines 8 and 14 strike "7" and insert "8"; and in line 17 before the last period insert "and described in the 1996 Niobrara National Scenic River General Management Plan/Environmental Impact Statement".

3. On page 3, line 27, before "The" insert "The mission of the Niobrara Council is to assist in all aspects of the management of the Niobrara scenic river corridor since portions of the Niobrara River have been designated as a national scenic river under 16 U.S.C. 1274(a)(117), giving consideration and respect to

local and governmental input and private landowner rights, and to maintain and protect the integrity of the resources associated with the Niobrara scenic river corridor." and strike "Niobrara Council" and insert "council".

4. On page 4, line 2, strike "shall" and insert "may"; and in line 7 strike "or trade such property" and insert ", accept gifts of, or trade real estate".

5. On page 6, line 23, and page 9, line 14, strike "5" and insert "6".

6. On page 6, line 20; page 9, line 13; page 11, line 28; and page 13, line 7, strike "1" and insert "2".

7. Renumber the remaining sections accordingly.

(Signed) Edward J. Schrock, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1124A. Placed on Select File.
LEGISLATIVE BILL 1399A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

AMENDMENTS - Print in Journal

Senator Schmitt filed the following amendment to LB 1234:
AM2967

(Amendments to AM2762)

1. On page 1, line 17, strike "Each" and insert "Except for marinas which offer motor fuel for sale, each".

Senators Bromm and Engel filed the following amendment to LB 1004:
(Amendment, AM3018, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Kiel filed the following amendment to LB 1115:
AM3043

1. Insert the following sections:

"Sec. 32. Section 71-1,187, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,187. Nothing in the Uniform Licensing Law shall be construed to prevent or restrict:

(1) The practice of audiology or speech-language pathology or the use of the official title of such practice by a person employed as a speech-language pathologist or audiologist by the federal government;

(2) A physician from engaging in the practice of medicine and surgery or any individual from carrying out any properly delegated responsibilities within the normal practice of medicine

and surgery under the supervision of a physician;

(3) A person licensed as a hearing aid fitter and dealer in this state from engaging in the fitting, selling, and servicing of hearing aids or performing such other duties as defined in sections 71-4701 to 71-4719;

(4) The practice of audiology or speech-language pathology or the use of the official title of such practice by a person who holds a valid and current credential as a speech or hearing specialist issued by the State Department of Education, if such person performs speech-language pathology or audiology services solely as a part of his or her duties within an agency, institution, or organization for which no fee is paid directly or indirectly by the recipient of such service and under the jurisdiction of the State Department of Education, but such person may elect to be within the jurisdiction of sections 71-1,186 to 71-1,196; or

(5) The clinical practice in audiology or speech-language pathology required for students enrolled in an accredited college or university pursuing a major in audiology or speech-language pathology, if such clinical practices are supervised by a person licensed to practice audiology or speech-language pathology and if the student is designated by a title such as trainee or other title clearly indicating the training status. ~~; or~~

~~(6) The activities and services of persons fulfilling the supervised clinical experience requirements of section 71-1,190, which activities and services shall be performed by persons under the supervision of a person licensed in the area in which the individual is practicing.~~

Sec. 33. Section 71-1,194, Reissue Revised Statutes of Nebraska, is amended to read:

71-1,194. A temporary license to practice audiology or speech-language pathology may be granted to persons who establish residence in Nebraska and (1) who meet all the requirements for a license except passage of the examination required by section 71-1,190, which ~~. Such~~ temporary license shall be valid only until the date on which the results of the next licensure examination are available to the department~~,~~ ~~and it may~~ and shall not be renewed, or (2) who meet all the requirements for a license except completion of the professional experience required by section 71-1,190, which temporary license shall be valid only until the sooner of completion of such professional experience or eighteen months and shall not be renewed. The department shall establish and collect a fee of not less than ten dollars nor more than fifty dollars for issuance of the temporary license. The department ~~shall have~~ has the power to deny, revoke, limit, suspend, or otherwise discipline a temporary license to practice audiology or speech-language pathology upon the grounds and in accordance with the Uniform Licensing Law.".

2. Renumber the remaining sections, correct internal

11 references, and correct the repealer accordingly.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 972A. Introduced by Brown, 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

GENERAL FILE

LEGISLATIVE BILL 1222. Title read. Considered.

Senator Chambers moved to bracket LB 1222 until April 10, 2000.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

Pending.

EASE

The Legislature was at ease from 4:44 p.m. until 4:47 p.m.

GENERAL FILE

LEGISLATIVE BILL 1222. The Chambers pending motion, found in this day's Journal, to bracket until April 10, 2000, was renewed.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers withdrew his motion to bracket.

Senator Vrtiska requested to pass over LB 1222.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 171, 628, 953, 1092, and 1092A.

Enrollment and Review Change to LB 171

The following changes, required to be reported for publication in the Journal, have been made:

ER9142

1. Because of the adoption of the Beutler amendment, AM2906, in the Standing Committee amendments, AM2103, on page 1, line 16, "all of the" has been struck.

Enrollment and Review Change to LB 628

The following changes, required to be reported for publication in the Journal, have been made:

ER9139

1. On page 1, the matter beginning with "public" in line 1 through line 5 and all amendments thereto have been struck and "records; to amend sections 84-712, 84-712.01, 84-712.03, and 86-1701, Reissue Revised Statutes of Nebraska; to provide requirements for the provision of copies of public records; to change provisions relating to public records and digital signatures; to provide for electronic signatures; and to repeal the original sections." inserted.

Enrollment and Review Change to LB 953

The following changes, required to be reported for publication in the Journal, have been made:

ER9141

1. Because of the adoption of the Hilgert amendment, FA339, in the Hilgert amendment, AM2957:
   a. Section 14 has been renumbered as section 1;
   b. Sections 24, 27, 28, and 30 have been struck; and
   c. On page 30, the matter beginning with "22" in line 26 through "23" in line 27 has been struck and "23," inserted.
2. On page 1, line 4, "section" has been struck and "sections 48-604 and" inserted; and in line 5 "to redefine a term;" has been inserted after the semicolon.

Enrollment and Review Change to LB 1092

The following changes, required to be reported for publication in the Journal, have been made:

ER9140

1. In the E & R amendments, AM7225, on page 3, line 8, "2" has been struck and "(2)" inserted.

(Signed) Adrian M. Smith, Chairperson

RESOLUTION

LEGISLATIVE RESOLUTION 350. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

PURPOSE: To study the Lottery Division of the Department of Revenue and the State Lottery Act. The study shall examine:

1. The basic structure of the division and how it is managed;
2. Whether the administration of the State Lottery Act should be under the direct supervision of the State of Nebraska or if it should be under the governance of a more independent entity, such as a board or commission;
3. Whether any changes should be made regarding lottery sales or promotions; and
4. Any other matters appropriate for a complete examination of the issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENTS - Print in Journal

Senator Baker filed the following amendment to LB 936:
AM3031

(Amendments to AM2911)

1. On page 2, line 16, after "(iii)" insert "(A) for a county or counties with a labor force greater than three thousand,"; and in line 19 after "number" insert "or (B) for a county or counties with a labor force of three thousand or less, the investment in qualified property of at least fifty thousand dollars times one-half of one percent of the labor force in the county or counties in which the project will be located rounded to the nearest whole number".

Senators Stuhr and Bohlke filed the following amendment to LB 495:
AM3032

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Sections 1 to 13 of this act shall be known and may be cited as the Education and Career Preparation Act.

Sec. 2. The Legislature finds that technology is changing the educational and training needs of employees. These changes are found in all areas of employment and are directly related to Nebraska remaining competitive in a global economy. These changes also raise employer expectations of prospective employees from all education levels, including those with a baccalaureate degree. Education and career preparation are critical because students must possess academic, communication, and technological skills needed for employment and continued lifelong learning. Therefor, there is an urgent need for quality career preparation and technical education programs in the secondary schools of Nebraska in order to assist students in:

(1) Acquiring the knowledge and skills necessary for successful entry into a career preparation program at a postsecondary educational institution or into employment;

(2) Developing skills to balance the dimensions of work, family, and community;

(3) Gaining exposure to a wide variety of careers; and

(4) Gaining experience in career paths through supervised work-based experience.

Sec. 3. The purpose of the Education and Career Preparation Act is to focus on the academic, technical, and employment skills necessary for success in a career through career preparation and technical education programs such as agricultural education, business education, career guidance and counseling, family and consumer sciences, industrial technology education, marketing education, health occupations education, and diversified occupations.

Sec. 4. (1) The Education and Career Preparation Fund is hereby created. For school fiscal year 2000-01, it is the intent of the Legislature to appropriate funds to be distributed as competitive grants to school districts and consortia of school districts by the State Board of Vocational Education pursuant to subsections (2) and (3) of this section on or before December 15, 2000. It is the intent of the Legislature to appropriate one million five hundred thousand dollars for school fiscal year 2000-01 to the fund. The fund shall be allocated in the following manner:

(a) Up to forty percent to grant recipients who are requesting a grant for the purposes of buying equipment related to career preparation and technical education;

(b) Up to thirty percent to grant recipients who are requesting a grant for the purposes of buying career preparation and technical education curriculum materials or skills assessments; and

(c) Up to thirty percent to grant recipients who are requesting a grant for the purposes of innovative career preparation and technical educational programs, such as articulation programs with postsecondary education or improved career guidance and counseling programs.

(2) To apply for a grant, each school district or consortium of school districts shall complete a grant application

and provide a curriculum support plan and a grant-matching plan. The application and plans shall be signed by the school administrator and returned to the State Department of Education on or before October 1, 2000. The curriculum support plan shall: Identify the goals and needs that will be supported by the grant; how the goals and needs are directly related to the school improvement plan or plans of the school district or the school districts in the consortium; and how the grant will be used to directly advance the goals and needs identified. The grant-matching plan shall show how the school districts or consortium of school districts will match the grant one-hundred percent, by means of: School district funds; community partnership gifts, donations, money, and services, including in-kind resources and volunteer time; or individual gifts, donations, money, and services, including in-kind resources and volunteer time. The estimated value of in-kind resources and volunteer time shall be used in calculating the amount of the applicant's matching funds. If the school district or consortium of school districts does not match the full amount of the grant within one year after receiving the grant, such school district or consortium of districts shall return the unmatched amount of the grant to the department. If the school district or consortium of school districts fails to return the unmatched grant amount within one year and six months after receiving the grant, state aid shall be withheld from each school district involved such that the total amount withheld from the school district or each school district in a consortium is equal to the unmatched grant amount.

(3) A school district or consortium of school districts shall only receive one grant. Each grant shall not exceed fifty thousand dollars. The grants to be awarded shall be selected by the State Board of Vocational Education after recommendations are received from the advisory committee pursuant to section 5 of this act.

Sec. 5. (1) Within thirty days after the effective date of this act, the Governor shall appoint an advisory committee to provide recommendations to the State Board of Vocational Education for the awarding of grants. The membership of the advisory committee shall consist of:

(a) The program manager for vocational education of the State Department of Education;

(b) One representative from business;

(c) One representative of labor;

(d) One school administrator;

(e) One teacher currently involved in career preparation and technical education programs;

(f) One teacher who is a member of an association for career and technical education teachers; and

(g) The executive director of the Nebraska Community College Association or his or her designee.

The program manager for vocational education shall be the chairperson of the advisory committee and shall arrange for the initial and subsequent meetings. Committee members shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177. Committee members that have a conflict of interest as delineated in section 49-1499 or as perceived by the member shall abstain from participating in the recommendation of a particular grant. The recommendations may be to award a designated portion or the full amount of any grant request up to fifty thousand dollars. The recommendations must be given to the State Board of Vocational Education on or before November 15, 2000. The advisory committee terminates on December 31, 2000.

Sec. 6. The State Department of Education shall develop applications for the grants and distribute such applications on or before August 1, 2000.

Sec. 7. The State Board of Vocational Education shall adopt and promulgate rules and regulations to establish monitoring procedures for determining the results of sections 1 through 5 of this act.

Sec. 8. The Education and Career Preparation Task Force is created. The task force shall consist of the members appointed pursuant to section 9 of this act. The task force shall report its findings and recommendations to the Clerk of the Legislature and the Education Committee of the Legislature on or before October 1, 2000.

Sec. 9. Members of the Education and Career Preparation Task Force shall be appointed by the Executive Board of the Legislative Council on or before April 15, 2000, and shall include:

(1) One member of the Education Committee of the Legislature;

(2) One member of the Business and Labor Committee of the Legislature;

(3) The Commissioner of Education or his or her designee;

(4) One representative from the Governor's Policy Research Office;

(5) One secondary teacher involved in career preparation and technical education programs;

(6) One teacher who is a member of an association for career preparation and technical education teachers;

(7) One representative from business;

(8) One representative from labor;

(9) The program manager for vocational education at the State Department of Education;

(10) One representative from the State Department of Education who works with student organizations in the area of career preparation and technical education;

(11) One high school student leader involved in student organizations in the area of career preparation and technical

education;

(12) One representative of an association of school boards;

(13) One taxpayer from a Class II or III school district;

(14) One representative of an association of school administrators;

(15) One taxpayer from a Class IV or V school district;

(16) One representative from a community college who is involved in career preparation and technical training; and

(17) One representative of a career preparation and technical education teacher education program.

Members of the task force shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties as members of the task force as provided in sections 81-1174 to 81-1177. The Education Committee member shall be the chairperson of the task force and shall arrange for the initial and subsequent meetings. The Education Committee of the Legislature, other legislative staff, and the State Department of Education shall provide research and administrative support for the task force. The task force may retain a national consultant to assist with the study.

Sec. 10. The Education and Career Preparation Task Force shall study the following topics and make recommendations for Nebraska policies and potential legislation to the Clerk of the Legislature and the Education Committee of the Legislature:

(1) The purpose, role, and mission of career preparation and technical education programs;

(2) The prevalence of and need for career preparation and technical education programs at both the middle school and high school levels;

(3) The funding for career preparation and technical education programs, curriculum, and equipment at both the middle school and high school levels;

(4) The availability of teachers of career preparation and technical education and the status of career preparation and technical teacher education programs;

(5) The need for career preparation and technical education articulation programs in high schools and postsecondary educational institutions;

(6) The feasibility of operating different delivery systems for career preparation and technical education programs, including a career preparation and technical high school or schools; and

(7) Any other topics related to career preparation and technical education as determined by the task force.

Sec. 11. The Education Committee of the Legislature shall hold at least one public hearing in each congressional district in Nebraska on the recommendations of the Education and Career Preparation Task Force before December 31, 2000.

Sec. 12. The Education and Career Preparation Task Force terminates on December 31, 2000.

Sec. 13. Since an emergency exists, this act takes effect when passed and approved according to law.".

Senators Schimek, Bohlke, Thompson, and Suttle filed the following amendment to LB 1399:
AM3041

(Amendments to E & R amendments, AM7237)

1. Insert the following new section:

"Sec. 24. The Nebraska Volunteer Services Commission shall submit a program proposal to the Corporation for National Service to obtain funding for educational awards. The awards shall be used by the commission to (1) provide incentives for new college graduates to establish their teaching careers in Nebraska and (2) provide incentives for experienced Nebraska teachers to pursue graduate degrees. It is the intent of the Legislature that the State Department of Education shall provide state funding to the Nebraska Volunteer Services Commission to contract for a program officer position for the Teacher Corps AmeriCorps Education Award Program if the Corporation for National Service commits to funding such program in Nebraska. State funding provided by the State Department of Education shall be used by the Nebraska Volunteer Services Commission to contract for a program officer position to meet the required monitoring and compliance responsibilities of the program.".

2. Renumber the remaining section accordingly.

GENERAL FILE

LEGISLATIVE BILL 812. Title read. Considered.

The Standing Committee amendment, AM0879, found on page 1107, First Session, 1999, was considered.

Senator Bohlke withdrew her amendment, AM1760, found on page 2048, First Session, 1999.

Senator Bohlke withdrew her amendment, AM2015, found on page 211.

Senator Bourne asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bohlke renewed her pending amendment, AM2784, found on page 1031, to the Standing Committee amendment.

Senator Quandahl asked unanimous consent to be excused. No objections. So ordered.

Senator Schimek moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Bohlke moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The Bohlke amendment was adopted with 40 ayes, 1 nay, 1 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

The Standing Committee amendment, as amended, was adopted with 37 ayes, 2 nays, 3 present and not voting, and 7 excused and not voting.

Senators Bohlke and Stuhr withdrew their amendment, AM2714, found on page 957.

Senator Beutler renewed his pending amendment, AM2892, found on page 1157.

Pending.

AMENDMENTS - Print in Journal

Senator Coordsen filed the following amendment to LB 968:
AM2896

(Amendments to Standing Committee amendments, AM2432)

1. Insert the following new section:

"Sec. 57. All transactions of real property for which the statement required in section 76-214 is filed shall be available for development of a sales file for analysis of level of value and quality of assessment for purposes of section 77-5027 and for use by assessing officials in establishing assessed valuations. All transactions with stated consideration of more than one hundred dollars or upon which more than one dollar and seventy-five cents in documentary stamp taxes are paid shall be considered sales. All sales shall be deemed to be arm's length transactions unless determined to be otherwise. The Department of Property Assessment and Taxation shall not overturn a determination made by a county assessor regarding the qualification of a sale unless the department reviews the sale and determines through the review that the determination made by the county assessor is incorrect.".

2. Correct the operative date section so that the section added by this amendment becomes operative on its effective date with the emergency clause.

3. Renumber the remaining sections accordingly.

Senators Bromm, Kristensen, and Landis filed the following amendment to LB 1285:

(Amendment, AM2986, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

VISITORS

Visitors to the Chamber were Sarah Harrold, Matt Holloway, and Jordan Wilcox from Platteview High School; 100 high school students and teacher from Gretna; 30 students and teacher from Bellevue West High School; Harvey and Joyce Soderholm from Lincoln and Barry and Marcie Wyatt from Melbourne, Australia; and 21 fourth grade students and teacher from Pleasanton Public School.

The Doctor of the Day was Dr. Hal Pumphrey from Lincoln.

ADJOURNMENT

At 6:34 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Friday, March 24, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FORTY-NINTH DAY - MARCH 24, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Friday, March 24, 2000

PRAYER

The prayer was offered by Senator Dierks.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Bromm, Kiel, Landis, Raikes, Redfield, and Schrock who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-eighth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 23, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Bohrer, Bruce - Lincoln; Lincoln Chamber of Commerce
Markley III, George Glenn - Omaha; George Glenn Markley III
Webb, Curren - Omaha; Nebraska Christian Coalition

UNANIMOUS CONSENT - Member Excused

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

MOTION - Approve Appointments

Senator Bohlke moved the adoption of the report of the Education Committee for the following appointments found on page 1214: Coordinating Commission for Postsecondary Education - Dick Davis, Dr. Helen Morten, and Debra Fischer.

Voting in the affirmative, 35:

Aguilar Baker Bohlke Bourne Brashear
Brown Bruning Byars Chambers Coordsen
Crosby Dickey Dierks Hartnett Hilgert
Hudkins Janssen Jensen Jones Kremer
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Schimek Schmitt Schrock
Smith Stuhr Suttle Tyson Wehrbein

Voting in the negative, 0.

Present and not voting, 8:

Beutler Connealy Cudaback Kristensen Robak
Thompson Vrtiska Wickersham

Excused and not voting, 6:

Bromm Engel Kiel Landis Raikes
Redfield

The appointments were confirmed with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

MOTION - Return LB 480A to Select File

Senator Schimek moved to return LB 480A to Select File for her specific amendment, AM2227, found on page 510.

The Schimek motion to return prevailed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 480A. The Schimek specific amendment, AM2227, found on page 510, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to E & R for reengrossment.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1448. With Emergency.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize certain write-offs as prescribed; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 3:

Bromm
Engel
Redfield

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1214. With Emergency.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 84-612, Reissue Revised Statutes of Nebraska, and section 77-5304, Revised Statutes Supplement, 1999; to change provisions relating to transfers of funds and the Relief to Property Taxpayers Act; to eliminate a fund; to harmonize provisions; to repeal the original sections; to outright repeal section 79-1072.04, Revised Statutes Supplement, 1999; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Bruning	Byars	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 1:

Chambers

Excused and not voting, 3:

Bromm	Engel	Redfield

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1214A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 881A, section 2; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1214, Ninety-sixth Legislature, Second Session, 2000; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Bruning	Byars	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 1:

Chambers

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1215. With Emergency.

A BILL FOR AN ACT relating to health care; to amend section 71-7610, Revised Statutes Supplement, 1998; to provide for the use of certain funds for the medical assistance program as prescribed; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Hartnett Hilgert Hudkins Janssen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Jensen

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1216 with 41 ayes, 2 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1216. With Emergency.

A BILL FOR AN ACT relating to state government; to amend sections 13-2305, 68-601 to 68-605, 68-608, 68-610, 68-612, 68-613, 68-620, 68-622, 68-631, 72-815, 81-1108.03, 81-1108.05, 81-1108.15, 81-1110.02, 81-1110.04, and 81-1117.01, Reissue Revised Statutes of Nebraska, sections 68-621 and 72-816, Revised Statutes Supplement, 1999, and Laws 1999, LB 873, sections 1, 3, 4, and 5; to provide for transfers of funds; to create funds; to rename funds; to change provisions relating to the uses of various funds; to harmonize provisions; to change transfer provisions; to provide and change termination dates; to change and eliminate powers and duties of the Department of Administrative Services and State Treasurer; to repeal the original sections; to outright repeal sections 68-614, 68-615, 68-617, and 68-618, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Bromm
Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1217 with 40 ayes, 5 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1217. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 90A, section 1; Laws 1999, LB 131A, section 1; Laws 1999, LB 144, section 1; Laws 1999, LB 637A, section 2; Laws 1999, LB 664, sections 1 and 2; Laws 1999, LB 878, sections 30, 38, 39, 43, 45, 51, 56, and 60; and Laws 1999, LB 880, sections 7, 8, 14, 17, 20, 26, 27, 32, 56, 77, 90 to 95, 102, 103, 104, 109, 123, 149, 151, 152, 157, 159, 160, 191, 204, 208, 211, 221, 235, 237, 238, 242, 243, 244, 250, 262, 264, and 267; to define terms; to provide for deficit appropriations; to appropriate funds for the expenses of state government, postsecondary education, capital construction, and state aid; to state and eliminate intent; to provide for a task force; to change appropriations as prescribed; to change transfers; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Hartnett
Hilgert Hudkins Janssen Jensen Kiel
Kremer Kristensen Landis Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 4:

Dierks Jones Redfield Robak

Present and not voting, 1:

Brashear

Excused and not voting, 2:

Bromm
Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1328. With Emergency.

A BILL FOR AN ACT relating to the Nebraska Educational Telecommunications Commission; to amend section 79-1316, Revised Statutes Supplement, 1998; to change provisions relating to powers and duties; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Tyson

Excused and not voting, 2:

Bromm
Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION - Return LB 1349 to Select File

Senator Lynch moved to return LB 1349 to Select File for the following specific amendment:

FA344
Strike the enacting clause.

Senator Lynch withdrew his motion to return.

Speaker Kristensen ordered the removal of LB 1349 from the agenda.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1369.

A BILL FOR AN ACT relating to oil and gas severance tax; to amend section 57-705, Reissue Revised Statutes of Nebraska; to change provisions relating to the Severance Tax Fund; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Bruning	Byars	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schmitt	Schrock	Smith	Stuhr	Suttle
Thompson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 3:

Chambers	Schimek	Tyson

Excused and not voting, 2:

Bromm	Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1379.

A BILL FOR AN ACT relating to postsecondary education; to adopt the Minority Scholarship Program Act; to eliminate provisions relating to a scholarship program; and to outright repeal section 85-1,125, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Tyson

Excused and not voting, 2:

Bromm
Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1448, 1214, 1214A, 1215, 1216, 1217, and 1328.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1379A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1379, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Hartnett Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Tyson

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1427.

A BILL FOR AN ACT relating to the Nebraska Health Care Trust Fund Act; to amend sections 71-6050, 71-7606, 71-7607, and 71-7609 to 71-7611, Revised Statutes Supplement, 1998, and sections 71-7605, 71-7606.01, 71-7608, and 71-7614, Revised Statutes Supplement, 1999; to change the name of the act; to state intent; to eliminate a statement of findings; to rename funds and a council; to change and eliminate provisions relating to funding and using certain funds and membership on a council; to harmonize provisions; to repeal the original sections; and to outright repeal section 71-7612, Revised Statutes Supplement, 1999.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Brown Bruning Byars Connealy

Coordsen Crosby Cudaback Dickey Dierks
Hartnett Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Chambers Tyson

Excused and not voting, 2:

Bromm Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1427A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1427, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Brashear Brown Bruning Byars Connealy
Coordsen Crosby Dickey Dierks Hartnett
Hilgert Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Chambers Cudaback Tyson

Excused and not voting, 2:

Bromm Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 213 with 40 ayes, 2 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 213. With Emergency.

A BILL FOR AN ACT relating to livestock; to amend sections 54-170, 54-198, 54-199, 54-1,110, 54-1,111, 54-1,115, 54-1,119, 54-1,121, 54-1185, and 54-2014, Revised Statutes Supplement, 1999; to provide for registration of dairies; to change brand provisions; to provide a penalty; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Hartnett Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the

bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 929 with 39 ayes, 2 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 929.

A BILL FOR AN ACT relating to commercial transactions; to amend section 33-101, Reissue Revised Statutes of Nebraska, and sections 1-105, 9-102, 9-104, 9-210, 9-311, 9-317, 9-323, 9-331, 9-334, 9-336, 9-406, 9-407, 9-408, 9-409, 9-504, 9-509, 9-513, 9-608, 9-613, 9-615, 9-625, 9-702, 9-705, 9-707, 9-708, and 9-709, Uniform Commercial Code; to adopt the Uniform Electronic Transactions Act and the Nebraska Governmental Unit Security Interest Act; to provide fees for searching records as prescribed; to change provisions relating to secured transactions; to provide safe harbor provisions for certain continuation statements as prescribed; to change provisions relating to financing statements; to provide operative dates; to provide severability; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Baker	Bohlke	Bourne	Brashear
Brown	Bruning	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 0.

Present and not voting, 1:

Beutler

Excused and not voting, 2:

Bromm	Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1085. With Emergency.

A BILL FOR AN ACT relating to the Commission on Public Advocacy; to amend section 29-3931, Revised Statutes Supplement, 1998, and sections 49-506 and 49-617, Revised Statutes Supplement, 1999; to change provisions relating to the cost of defense; to provide for distribution of session laws, the legislative journal, and statutes as prescribed; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Smith

Excused and not voting, 2:

Bromm
Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1135 with 37 ayes, 2 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1135.

A BILL FOR AN ACT relating to state government; to amend sections 10-127, 39-1110, 39-2201, 71-1,313, 71-6803, 71-6806, 71-6807, 71-6810, 71-6819, 71-6830, 81-819, 81-1609, 81-1611, 81-1612, 81-1616, 85-167, 85-169, 85-170, and 85-171, Reissue Revised Statutes of Nebraska, sections 2-5103, 66-4,144, and 71-1,329, Revised Statutes Supplement, 1998, and sections 18-2147.01, 43-2505, 43-2620, 71-1,144.01, 71-1,144.04, 71-1917, and 79-1110, Revised Statutes Supplement, 1999; to eliminate certain boards, commissions, committees, and councils and a task force; to create a council; to provide and change powers and duties; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 9-1,102, 39-2202, 39-2220, 43-2506, 43-2611 to 43-2614, 71-1,144.02, 71-6804, 71-6829, 72-720, 72-721, 72-722, 77-5101, 77-5103, 77-5104, 79-1502, 81-818, 81-820, 81-821, 81-822, 81-823, 81-1610, 85-166, and 90-405, Reissue Revised Statutes of Nebraska, sections 2-5104, 2-5105, 68-1037.06, 71-5054, 77-5102, 77-5105, and 79-1183.01, Revised Statutes Supplement, 1998, and sections 43-2610 and 43-2615, Revised Statutes Supplement, 1999.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Hartnett	Hilgert	Hudkins	Janssen
Jensen	Jones	Kiel	Kremer	Kristensen
Landis	Lynch	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Raikes	Redfield
Robak	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Excused and not voting, 2:

Bromm	Engel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1197. With Emergency.

A BILL FOR AN ACT relating to trustees; to provide for a certification of trust; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Bromm
Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1436. With Emergency.

A BILL FOR AN ACT relating to tobacco; to amend sections 71-7608 and 71-7614, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Health Care Trust Fund Act; to establish the Teen Tobacco Education and Prevention Project; to create a committee and a fund; to provide and change duties; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks

Hartnett Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Chambers Kristensen

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1436A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1436, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bruning Byars Connealy Coordsen
Crosby Cudaback Dickey Dierks Hartnett
Hilgert Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Brown Chambers

Excused and not voting, 2:

Bromm Engel

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

MOTION - Return LB 1253 to Select File

Senator Landis moved to return LB 1253 to Select File for his specific amendment, AM3005, found on page 1215.

The Landis motion to return prevailed with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1253. The Landis specific amendment, AM3005, found on page 1215, was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Advanced to E & R for reengrossment.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1369, 1379, 1379A, 1427, 1427A, 213, 929, 1085, 1135, 1197, 1436, and 1436A.

MOTION - Return LB 1352 to Select File

Senator Brashear moved to return LB 1352 to Select File for the following specific amendment:
AM3064

(Amendments to Final Reading copy)

1. Insert the following new section: "Sec. 4. The following section is outright repealed: Section 68-1047, Reissue Revised Statutes of Nebraska.".

2. Renumber the remaining section accordingly.

3. On page 1, line 4, after the second semicolon insert "to eliminate provisions relating to trusts;"; and in line 5 after the semicolon insert "to outright repeal section 68-1047, Reissue Revised Statutes of Nebraska;".

The Brashear motion to return prevailed with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1352. The Brashear specific amendment, AM3064, found in this day's Journal, was adopted with 41 ayes, 0 nays, 6 present and

not voting, and 2 excused and not voting.

Advanced to E & R for reengrossment.

RESOLUTIONS

LEGISLATIVE RESOLUTION 300. Read. Considered.

LR 300 was adopted with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE RESOLUTION 304. Read. Considered.

LR 304 was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

MOTION - Suspend Rules

Senator Schimek moved to suspend the rules, Rule 3, Sec. 13, to permit cancellation of public hearing by the Government, Military and Veterans Affairs Committee.

The Schimek motion to suspend the rules prevailed with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Monday, March 27, 2000 (cancel) 1:30 p.m.
Accountability and Disclosure Commission
Frank Hayes

(Signed) DiAnna R. Schimek, Chairperson

MESSAGE FROM THE GOVERNOR

March 23, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Please withdraw Frank Hayes' name from the confirmation hearing for the Accountability & Disclosure Commission scheduled for Monday, March 27, 2000 at the Government, Military & Veterans Affairs hearing due to his resignation.

Thank you.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

AMENDMENTS - Print in Journal

Senator Janssen filed the following amendment to LB 973:
AM3053

(Amendments to E & R amendments, AM7244)

1. Insert the following new section:
"Sec. 10. This act becomes operative on August 1, 2000.".
2. Renumber the remaining section accordingly.

Senator Landis filed the following amendment to LB 932:
(Amendment, AM2848, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Beutler filed the following amendment to LB 1348:
AM3060

(Amendments to E & R amendments, AM7233)

1. On page 2, line 12; page 3, line 4; page 5, lines 3, 14, and 24; and page 6, line 5; strike "Agriculture" and insert "Economic Development".

RESOLUTION

LEGISLATIVE RESOLUTION 351. Introduced by Byars, 30.

PURPOSE: To examine alternative options for increased availability of centers for independent living (CIL's) for members of the disability community. Previous legislation has failed to offer enough options for these valuable services across Nebraska. The study shall:

(1) Examine the possibility of state funding for new CIL's;

(2) Examine the possibility of funding from government being distributed through the Department of Health and Human Services for CIL's;

(3) State support for the maintenance and repair of existing CIL's;

(4) Examine alternative methods to hire and retain aides. Currently, aides are classified as independent contractors, with no insurance protections;

(5) Examine the possibility of hiring aides as employees of the state;

(6) Examine the risks posed by the current shortage of aides; and

(7) Examine the current labor market and its projected effects on availability of aides.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an

interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 24, 2000, at 10:25 a.m., were the following: LBs 1448e, 1214e, 1214Ae, 1215e, 1216e, 1217e, and 1328e.

(Signed) Diana Bridges
Clerk of the Legislature's Office

SELECT FILE

LEGISLATIVE BILL 414. E & R amendment, AM7224, printed separately and referred to on page 1037, was adopted.

Senator Beutler offered the following amendment:
AM2951

(Amendments to E & R amendments, AM7224)

1. On page 2, line 12, strike beginning with "the" through the comma and insert "July 1, 2001, (1)"; and strike beginning with the comma in line 14 through the comma in line 15 and insert "(2)".

2. On page 6, line 1, strike "1998-99" and insert "2000-01"; strike beginning with "thirty-three" in line 5 through "two-thirds" in line 6 and insert "fifty"; and in line 7 strike the comma.

SPEAKER KRISTENSEN PRESIDING

The Beutler amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 414A. Senator Beutler offered the following amendment:
AM2998

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $147,134 from the General Fund for FY2000-01 and (2) $3,663,789 from the General Fund and $122,845 from federal funds for FY2001-02 to the Supreme Court, for Program 395, to aid in carrying out the provisions of Legislative Bill 414, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $59,342 for FY2000-01 or $265,683 for FY2001-02.

Sec. 2. There is hereby appropriated $73,750 from the General Fund for FY2001-02 to the Auditor of Public Accounts, for Program 506, to aid in carrying out the provisions of Legislative Bill 414, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $45,820 for FY2001-02.".

The Beutler amendment was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1399. E & R amendment, AM7237, printed separately and referred to on page 1154, was adopted.

Senator Schimek withdrew the Schimek et al. amendment, AM2777, found on page 1021.

Senator Thompson withdrew her amendment, AM2950, found on page 1205.

Senator Thompson offered the following amendment:
AM3040

(Amendments to E & R amendments, AM7237)

1. On page 5, line 15, strike "Each" and insert "In any year for which an appropriation is made for the Master Teacher program, each"; and strike beginning with "If" in line 17 through "bonus" in line 18 and insert "If the number of teachers qualifying for the bonus exceeds the number which the one million dollars would fully fund at the five-thousand-dollar level".

2. On page 8, line 12, strike "a" and insert "an eligible".

Senator Baker asked unanimous consent to be excused until he returns. No objections. So ordered.

The Thompson amendment was adopted with 26 ayes, 2 nays, 16 present and not voting, and 5 excused and not voting.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Schimek renewed the Schimek et al. pending amendment, AM3041, found on page 1263.

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

The Schimek et al. amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 1399A. Senator Bohlke offered the following amendment:
AM3039
1. Strike section 2.
2. Renumber the remaining sections accordingly.

The Bohlke amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Senator Schimek offered the following amendment:
AM3044
1. Insert the following new section:
"Sec. 4. There is hereby appropriated (1) $20,000 from the General Fund for FY2000-01 and (2) $20,000 from the General Fund for FY2001-02 to the State Department of Education, for Program 25, to aid in carrying out the provisions of Legislative Bill 1399, Ninety-sixth Legislature, Second Session, 2000.
There is included in the appropriation to this program for FY2000-01 $20,000 General Funds to contract with the Nebraska Volunteer Services Commission for the Teacher Corps AmeriCorps Education Award Program, which shall only be used for such purpose. There is included in the appropriation to this program for FY2001-02 $20,000 General Funds to contract with the Nebraska Volunteer Services Commission for the Teacher Corps AmeriCorps Education Award Program, which shall only be used for such purpose.
No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".
2. Renumber the remaining section accordingly.

The Schimek amendment was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

Senator Bohlke offered the following amendment:
FA345

1. On page 2, line 1, delete "$18,600" and insert "28,600".
2. On page 2, line 2, delete "$11,400" and insert "21,400".

The Bohlke amendment was adopted with 25 ayes, 0 nays, 18 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1213. E & R amendment, AM7239, printed separately and referred to on page 1154, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 968. E & R amendment, AM7240, found on page 1154, was adopted.

Senator Coordsen asked unanimous consent to replace his pending amendment, AM2479, found on page 928, with a substitute amendment. No objections. So ordered.

Senator Wickersham renewed the substitute Wickersham et al. pending amendment, AM2984, printed separately and referred to on page 1205.

SENATOR CUDABACK PRESIDING

The Wickersham et al. amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Senator Coordsen asked unanimous consent to replace his pending amendment, AM2834, found on page 1068, with a substitute amendment. No objections. So ordered.

Senator Coordsen withdrew his amendment, AM2834, found on page 1068.

Senator Coordsen renewed his substitute pending amendment, AM2896, found on page 1264.

The Coordsen amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Wehrbein asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Wickersham asked unanimous consent to replace his pending amendment, AM2836, printed separately and referred to on page 1101, with a substitute amendment. No objections. So ordered.

Senator Wickersham withdrew his amendment, AM2836, printed separately and referred to on page 1101.

Senator Coordsen renewed his substitute pending amendment, AM2479, found on page 928.

Senators Schmitt and Schrock asked unanimous consent to be excused. No objections. So ordered.

Senator Coordsen withdrew his amendment.

Pending.

SELECT COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 1119. Placed on Select File as amended.
(E & R amendment, AM7245, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Adrian M. Smith, Chairperson

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 24, 2000, at 11:00 a.m., were the following: LBs 1369, 1379, 1379Ae, 1427, 1427A, 213e, 929, 1085e, 1135, 1197e, 1436e, and 1436Ae.

(Signed) Diana Bridges
Clerk of the Legislature's Office

AMENDMENTS - Print in Journal

Senator Coordsen filed the following amendment to LB 969:
AM3069

1. Insert the following new section:

"Sec. 8. Section 60-6,279, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,279. (1) A person shall not operate or be a passenger on a motorcycle or moped on any highway in this state unless such person is wearing a protective helmet of the type and design manufactured for use by operators of such vehicles and unless such helmet is secured properly on his or her head with a chin strap while the vehicle is in motion, except that a person who holds a Class M operator's license and who is twenty-one years of age or older shall not be required to wear such a helmet if the person holds a certificate approved by the Department of Motor Vehicles showing that he or she has successfully completed a motorcycle safety course under the Motorcycle Safety Education Act at least one year prior to the date in question.

All such protective helmets shall be designed to reduce injuries to the user resulting from head impacts and shall be designed to protect the user by remaining on the user's head, deflecting blows, resisting penetration, and spreading the force of impact. Each such helmet shall consist of lining, padding, and chin strap and shall meet or exceed the standards established in the United States Department of Transportation's Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for motorcycle helmets.".

2. On page 15, line 24, strike "and" and insert a comma, and after the last comma insert "and 60-6,279,".

3. Renumber the remaining section accordingly.

Senator Kiel filed the following amendment to LB 1348A:
AM3015

1. Insert the following new section:

"Sec. 3. There is hereby appropriated (1) $-0- from the General Fund for FY2000-01 and (2) $50,000 from the General Fund for FY2001-02 to the Board of Regents of the University of Nebraska for the College of Architecture of the University of Nebraska-Lincoln for the Neighborhood Development Cash Fund.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

2. On page 2, lines 13 and 21, strike "$875,000" and insert "$825,000".

Senator Janssen filed the following amendment to LB 1304:
AM3068

1. On page 3, strike beginning with the underscored period in line 2 through "fund" in line 4.

2. On page 5, line 26, after "States" insert ", 1994 Revision, as of the operative date of this section".

RESOLUTIONS

LEGISLATIVE RESOLUTION 352. Introduced by Kremer, 34.

PURPOSE: To study the issues raised by Legislative Bill 1297, Ninety-sixth Legislature, Second Session, including:

(1) What the powers of the Nebraska Power Review Board are with respect to holding hearings on matters under its statutory jurisdiction;

(2) Whether municipalities that own electric systems should receive notice of any applications, agreements, amendments, or modifications filed with the Nebraska Power Review Board that affect any customer or potential customer within the corporate limits of the municipality or within any area associated with the electric system;

(3) Whether the Nebraska Power Review Board should be authorized to hold a hearing, at the request of the governing body of any municipality that owns an electric system served by a supplier of electricity other than the

municipality or a franchisee of the municipality, on any matter affecting the supply of electricity to any customer or potential customer within the corporate limits of the municipality or within any area associated with the electric system; and

(4) Whether any other changes should be made in the powers and duties of the Nebraska Power Review Board or other statutes to address the concerns that arise when power suppliers to whom municipalities lease their electric systems make changes that affect the systems of the municipalities without involving such municipalities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 353. Introduced by Jensen, 20; Landis, 46.

PURPOSE: The purpose of this study is to examine issues relating to the cost of prescription drugs under the state Medicare program and the state medical assistance program.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee and the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 354. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study the implementation of the federal medicaid substance abuse and alcoholism option and the necessary waivers and the adequacy of other mental health services available under medicaid.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative

Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 355. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study health plan grievance systems and managed care consumer protection.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 356. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study the regulation of child care centers. The study should include an examination of all requirements for child care centers, including staff training and wages, and an examination of the requirements from the perspective of the needs of the children who are cared for by child care centers.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 357. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study childhood immunizations and vaccines. The study should include a review of current required immunizations and vaccines and exemptions from those requirements and a review of the educational and public relations efforts to notify parents of the need for immunizations and vaccines and the effectiveness of such efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative

Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 358. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study early education. The study should include a review of the availability of early education programs, the funding for such programs, and participation of public school systems.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 359. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study the penalties for trespassing on the property of public schools in this state. The study should include a review of these laws from a safety perspective, as well as the need for protecting the privacy of students and the need to eliminate disruptions in school activities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 360. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study how state and local sales taxes are collected on motor vehicles sold by an owner compared to how state and local sales taxes are collected on motor vehicles sold by a dealer.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative

Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 361. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study the extent to which health insurance policies cover prescription contraceptives. The study should include a review of legislation adopted in other states requiring health insurance coverage for such prescriptions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 362. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study section 43-801 relating to parental liability. The study should examine the limits on liability in this section, including an examination of the difference in liability limits made in section 43-801 between property destruction and personal injury and the reasons for the distinctions. The study should include an examination of the question of whether parents can or should be held responsible for the actions of their children and an examination of determining adequate compensation for injuries caused by a minor and who should pay.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 363. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study quality control in nursing homes, assisted living units, Alzheimer's special care units, and other special care units. The study should include a review of the statutory, regulatory, and training requirements for staff in such facilities and review whether the requirements are adequate to meet the health care needs of the residents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 364. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study end-of-life health care, including pain management and symptom management issues, financing and delivery of such services, and other related issues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 365. Introduced by Suttle, 10.

PURPOSE: The purpose of this resolution is to study the shortage of nurses in all levels of health care delivery in our state. The study should include a review of the proposals introduced in the Ninety-sixth Legislature, Second Session, 2000, to address this issue and should include participation of private interest groups which are addressing the issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 366. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

PURPOSE: To study the importation of alcoholic liquor into the state for personal use. The study shall examine:

1. Ways the State of Nebraska could collect revenue due to the state from

such sales;

2. The enforcement of any laws regarding such sales, including deliveries to underage persons and the collection of fees, duties, and taxes;

3. What other fees, duties, and taxes should be paid to the state relating to such sales; and

4. Any other matters appropriate for a complete examination of the issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 367. Introduced by Lynch, 13; Vrtiska, 1; Wehrbein, 2; Thompson, 14; Kristensen, 37; Byars, 30; Cudaback, 36; Engel, 17.

WHEREAS, Jack Mills was elected to the Nebraska Legislature in 1974; and

WHEREAS, Jack Mills served as a representative from district number 44 from 1975 until 1978; and

WHEREAS, Jack Mills became executive director of the Nebraska Association of County Officials on September 1, 1978; and

WHEREAS, for the past twenty-one and one-half years, Jack Mills has worked with the Legislature to formulate state statutes which have resulted in efficient and effective local government; and

WHEREAS, Jack Mills has served the citizens of Nebraska as a steward for their best interests, in both his professional and private lives; and

WHEREAS, Jack Mills will leave his position as executive director of the Nebraska Association of County Officials effective June 30, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes Jack Mills for his service to Nebraska county government and the one million six hundred fifty thousand residents it serves.

2. The Legislature expresses its appreciation for the valued assistance Jack Mills has provided in promoting efficient and effective government.

3. That a copy of this resolution be presented to Jack Mills.

Laid over.

LEGISLATIVE RESOLUTION 368. Introduced by Hudkins, 21.

PURPOSE: This interim study will examine the current state statutes dealing with ground water transfers from overlying lands to determine whether or not Nebraska law makes adequate provisions for small private transfers of ground water for domestic use on farmsteads and acreage residential developments.

The Legislature has already addressed statutorily domestic transfers of ground water for public water supplies, as well as for industrial and agricultural purposes and ground water remediation plans. The question has arisen, however, as to the possible need for additional statutory provisions to permit small private ground water transfers for domestic uses on farmsteads and acreage residential developments, which have traditionally been carried out through ground water well and pipeline easements. Should the study reveal that such a need exists, the appropriate statutory language should be prepared for introduction during the subsequent legislative session.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 968. Senator Landis asked unanimous consent to replace his pending amendment, AM2847, found on page 1158, with a substitute amendment. No objections. So ordered.

Senator Landis withdrew his amendment, AM2847, found on page 1158.

Senator Landis offered the following substitute amendment:
AM3014

1. Insert the following new sections:

"Section 1. Section 10-126, Reissue Revised Statutes of Nebraska, is amended to read:

10-126. (1) All bonds of indebtedness, issued after September 7, 1947, by any county, precinct, city, village, school district, drainage district, or irrigation district or any other municipal corporation or governmental subdivision of the state shall be redeemable at the option of the governmental subdivision or municipal corporation issuing such bonds at any time on or after five years from the date of issuance, except this provision shall not apply to (a) bonds of public power districts, public power and irrigation districts, metropolitan utilities districts, cities of the metropolitan and primary classes, and housing authorities of any city or village, (b) ~~and except~~ issues of revenue bonds exceeding one million dollars of cities of the first and second classes and of villages, ~~shall be redeemable at the option of the governmental subdivision or municipal corporation issuing such~~

~~bonds at any time on or after five years from the date of issuance thereof~~ or (c) issues of bonds exceeding ten million dollars of any school district of one thousand or more students in membership as provided in the fall school district membership report pursuant to subsection (4) of section 79-528 immediately preceding the issuance of bonds. Bonds of ~~districts~~ a district created under Chapter 31 or 39 shall in addition, after annexation of the district by any municipality, be redeemable at the option of the annexing municipality at any time after annexation of such district if at the time of redemption at least five years have elapsed from date of issuance. Such condition shall be plainly set forth in all bonds of any governmental subdivision of the state or municipal corporation hereafter issued to which it applies, and such bonds shall not be eligible for registration in the office of the Auditor of Public Accounts unless such condition appears therein.

(2) The issuer, except districts organized under Chapter 31 or 39, of any such bonds of indebtedness, when the total amount of bonds at par value authorized as a single issue is five hundred thousand dollars or more, may agree to pay a call premium of not to exceed four percent of the par value for the redemption of such bonds. Districts ~~, except that districts~~ organized under Chapter 31 or 39 may agree to pay a call premium of not to exceed two percent of the par value of such bonds when a single issue is five hundred thousand dollars or more, and bonds of such districts shall have no other bond redemption call or prepayment restrictions except as ~~hereinafter~~ provided in this section. Bonds ~~of public power districts, public power and irrigation districts, metropolitan utilities districts, cities of the metropolitan and primary classes, and housing authorities of any city or village and issues of revenue bonds exceeding one million dollars of cities of the first and second classes and villages~~ listed in subdivisions (1)(a) through (1)(c) of this section may contain such provisions with respect to their redemption as the public power district, public power and irrigation district, metropolitan utilities district, city, village, ~~or~~ housing authority, or school district shall provide.

(3) All bonds ~~heretofore or hereafter~~ issued which do not provide a special procedure for calling and prepayments shall be called by a resolution passed by the governing body of the obligor, which resolution shall designate the bond or bonds to be prepaid by stating the date of the bonds, the purpose for which the bonds were issued, the bond numbers of the bonds so called, and the date set for prepayment. The issuer of any bonds which are required by this section to be issued subject to an option of redemption shall, at least thirty days prior to the date set for prepayment of such bonds, send notice by mail of the call to each holder of the called bonds as shown in its records. A true copy of the resolution shall be filed by the obligor with the Auditor of Public Accounts at least thirty days prior to call date, and a copy of the resolution

shall also be filed with the paying agent on or before the call date. The Auditor of Public Accounts shall note the call of the bonds on his or her registration records. The original purchaser of any bonds registered in the office of the Auditor of Public Accounts may file with the auditor notice of their purchase identifying the bonds so purchased. The Auditor of Public Accounts shall keep a record of all such filings and send notice by mail of the call of any bonds to the original purchaser of the called bonds as shown by his or her records.

(4) If the obligor deposits sufficient funds with the paying agent to pay the called bonds and accrued interest to date of call in full on or before the call date, the bonds shall cease to be a liability of the obligor, otherwise the call shall be revoked, and the bonds continue in effect the same as though no call had been made.

Sec. 3. Section 18-2601, Reissue Revised Statutes of Nebraska, is amended to read:

18-2601. Sections 18-2601 to 18-2608 and section 9 of this act shall be known and may be cited as the Municipal Infrastructure Redevelopment Fund Act.

Sec. 4. Section 18-2602, Reissue Revised Statutes of Nebraska, is amended to read:

18-2602. The Legislature finds that the municipalities of the state face an urgent need to construct, upgrade, and develop municipal infrastructure facilities. By providing basic public facilities, the municipalities of the state provide the building blocks for economic development. Not only does the investment in infrastructure generate an immediate stream of economic activity, it also lays the groundwork for private investment that will use the facilities so provided. Municipalities in the state currently are in critical need of assistance in providing these facilities.

The Legislature determines that it is in the public interest to establish a Municipal Infrastructure Redevelopment Fund to provide funds to municipalities in the state to use to provide infrastructure facilities and to permit municipalities in the state to issue bonds secured by amounts payable from the Municipal Infrastructure Redevelopment Fund and other sources.

Sec. 5. Section 18-2603, Reissue Revised Statutes of Nebraska, is amended to read:

18-2603. For purposes of the Municipal Infrastructure Redevelopment Fund Act:

(1) Bond means any evidence of indebtedness, including, but not limited to, bonds, notes including notes issued pending long-term financing arrangements, warrants, debentures, obligations under a loan agreement or a lease-purchase agreement, or any similar instrument or obligation;

(2) Fund ~~shall mean~~ means the Municipal Infrastructure Redevelopment Fund;

~~(2)~~ (3) Infrastructure project ~~shall mean~~ means any of the following projects, or any combination thereof, to be owned or operated by a municipality: Solid waste management facilities; wastewater, storm water, and water treatment works and systems, water distribution facilities, and water resources projects, including, but not limited to, pumping stations, transmission lines, and mains and their appurtenances; hazardous waste disposal systems; resource recovery systems; airports; port facilities; buildings and capital equipment used in the ~~operation~~ operations and activities of municipal government and to provide services to the residents of the municipality; convention and tourism facilities; redevelopment projects as defined in section 18-2103; and mass transit and other transportation systems, including parking facilities and excluding public highways and bridges and municipal roads, streets, and bridges;

~~(3)~~ (4) Municipal allocation amount ~~shall~~ ~~mean~~ means, for each municipality, the amount derived by multiplying the amount to be allocated by the fraction determined by dividing the total population of the municipality by the total population of the state living in municipalities, each as determined by the most recent federal census figures certified by the Tax Commissioner as provided in section 77-3,119; and

~~(4)~~ (5) Municipality ~~shall~~ ~~mean~~ means any city of any class or any village in the state.

Sec. 6. Section 18-2606, Reissue Revised Statutes of Nebraska, is amended to read:

18-2606. Money received by a municipality or credited to its account from the fund shall be used for one of the following purposes:

(1) To pay for the construction, acquisition, or equipping of infrastructure projects or portions thereof; or

(2) To pay principal, interest, premium, and costs of issuance on bonds ~~debt~~ ~~incurred~~ ~~or~~ ~~securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects or portions thereof.

Sec. 7. Section 18-2607, Reissue Revised Statutes of Nebraska, is amended to read:

18-2607. Each municipality shall be permitted to pledge the amounts on deposit or to be deposited in its account of the fund, as and when appropriated by the Legislature, to the holders of any bonds ~~debt~~ ~~incurred~~ ~~or~~ ~~securities~~ issued by the municipality to finance the construction, acquisition, or equipping of infrastructure projects as long as the lien of such pledge does not attach until funds are actually deposited into the municipality's account, and in no event shall such a pledge be construed as an obligation of the Legislature to appropriate such funds. Any such pledge shall be valid and binding from the time when the pledge is made. The money so pledged and thereafter received by the municipality or deposited into its respective account shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract, or otherwise against the municipality, irrespective of whether the parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

Sec. 8. Section 18-2608, Reissue Revised Statutes of Nebraska, is amended to read:

18-2608. No ~~securities~~ bonds issued by any municipality ~~and pledging~~ which pledges funds to be deposited in its account of the fund shall constitute a debt, liability, or general obligation of this state or a pledge of the faith and credit of this state but shall be payable, to the extent payable from state revenue, solely from amounts credited to the accounts of the fund as provided by the Municipal Infrastructure Redevelopment Fund Act, as and when appropriated by the Legislature. Each ~~security~~ bond issued by any municipality ~~and pledging~~ which pledges funds to be deposited in its account of the fund shall contain on the face thereof a statement that neither the faith and credit nor the taxing power of this state is pledged to the payment of the principal of or the interest on such security.

Sec. 9. Any municipality may by ordinance issue bonds in one or more series for the construction or acquisition of an infrastructure project or any portion thereof and pay the principal of and interest on any such bonds by pledging funds received from the Municipal Infrastructure Redevelopment Fund. Such bonds shall have a final maturity not later than August 1, 2009, and the aggregate debt service payments and related expenses with respect to all series of such bonds for any twelve-month period during which such bonds are outstanding shall not exceed the anticipated receipts from the fund by such municipality. For purposes of this section, anticipated receipts means the amount received by the municipality from the fund for the twelve-month period immediately preceding the date of issuance of such bonds.

Any municipality which has or may issue bonds under this section may dedicate a portion of its property tax levy authority as provided in section 77-3442 to meet debt service obligations under the bonds, but only to the extent the receipts from the fund pledged to the payment of such bonds and any other money made available and used for that purpose are insufficient to pay the principal of and interest on such bonds as they mature.

Sec. 27. Section 77-3,119, Revised Statutes Supplement, 1998, is amended to read:

77-3,119. (1) The Tax Commissioner shall certify the population of cities and villages to be used for purposes of calculations made pursuant to subdivision ~~(3)~~ (4) of section 18-2603, subdivisions (3)(a) and (b) of section 35-1205, subdivision (1) of section 39-2517, and sections 39-2513 and 77-27,137.01. The Tax Commissioner shall transmit copies of such certification to all interested parties upon request.

(2) The Tax Commissioner shall certify the population of each city and village based upon the most recent federal census. The Tax Commissioner shall determine the most recent federal census for each city and village by using the most recent federal census figures available from (a) the most recent federal decennial census, (b) the most recent federal census update or recount certified by the United States Bureau of the Census, or (c) the most recent federal census figure of the city or village plus the population of territory annexed as calculated in sections 18-1753 and 18-1754.

(3) The Tax Commissioner may adopt and promulgate rules and regulations to carry out this section.".

2. Correct the operative date section and repealer so that the sections added by this amendment become operative on their effective date with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

Senator Quandahl asked unanimous consent to be excused. No objections. So ordered.

The Landis amendment was adopted with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

Senator Crosby renewed the Bromm-Crosby pending amendment, AM2910, found on page 1162.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Redfield moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Crosby moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Landis requested a roll call vote, in reverse order, on the Bromm-Crosby amendment.

Voting in the affirmative, 18:

Baker	Crosby	Cudaback	Dickey	Engel
Hilgert	Hudkins	Janssen	Jensen	Jones
Kremer	Pedersen, Dw.	Price	Smith	Stuhr
Suttle	Vrtiska	Wehrbein		

Voting in the negative, 19:

Bourne Bruning Byars Chambers Connealy
Coordsen Dierks Hartnett Kristensen Landis
Lynch Matzke Pederson, D. Raikes Redfield
Robak Schimek Thompson Wickersham

Present and not voting, 4:

Aguilar Beutler Brown Preister

Excused and not voting, 8:

Bohlke Brashear Bromm Kiel Quandahl
Schmitt Schrock Tyson

The Bromm-Crosby amendment lost with 18 ayes, 19 nays, 4 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Bruning asked unanimous consent to be excused. No objections. So ordered.

Senator Kristensen withdrew his amendment, AM2776, found on page 1164.

Senator Janssen withdrew his amendment, AM2975, found on page 1195.

Senator Thompson renewed her pending amendment, AM2783, found on page 1205.

The Thompson amendment lost with 12 ayes, 16 nays, 12 present and not voting, and 9 excused and not voting.

The Bromm amendment, AM2990, found on page 1215, was withdrawn.

Senator Raikes withdrew his amendments, AM3004 and AM3012, found on pages 1226 and 1227.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 968A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1363. E & R amendment, AM7242, found on page 1155, was adopted.

Senators Chambers and Beutler renewed their pending amendment, AM2981, found on page 1188.

Senator Landis asked unanimous consent to be excused. No objections. So ordered.

The Chambers-Beutler amendment was adopted with 28 ayes, 0 nays, 12 present and not voting, and 9 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1363A. Senator Chambers offered the following amendment:
AM3062

1. Insert the following new section:

"Sec. 2. There is hereby appropriated (1) $71,500 from the General Fund for FY2000-01 and (2) $66,500 from the General Fund for FY2001-02 to the Department of Labor, for Program 194, to aid in carrying out the provisions of Legislative Bill 1363, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $42,000 for FY2000-01 or $42,000 for FY2001-02.".

The Chambers amendment was adopted with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

Advanced to E & R for engrossment.

AMENDMENTS - Print in Journal

Senator Coordsen filed the following amendment to LB 1124:
AM3052

(Amendments to AM2845)

1. On page 1, line 17, strike "An active farmer" and insert "Two active farmers".

2. On page 2, line 1, strike "and"; and in line 2 after "official" insert

"(g) An elected county official who has served or is serving on an agricultural and horticultural land valuation board; and

(h) A county attorney who has an understanding of appraisal processes and problems encountered in the valuation of real property".

Senator D. Pederson filed the following amendment to LB 352:
AM3073

(Amendments to E & R amendments, AM7241)

1. Insert the following new section:

"Sec. 17. Section 71-4720.01, Revised Statutes Supplement, 1998, is amended to read:

71-4720.01. For purposes of this section and sections 71-4720 to ~~71-4733~~ 71-4732:

(1) Commission means Commission for the Deaf and Hard of Hearing;

(2) Deaf means a hearing impairment, with or without amplification, which is so severe that the person with the impairment may have difficulty in auditorily processing spoken language without the use of an interpreter; and

(3) Hard of hearing means a hearing loss, permanent or fluctuating, which may adversely affect the ability to understand spoken language without the use of an interpreter or auxiliary aid.".

2. On page 17, line 10, after "Nebraska" insert ", and section 71-4720.01, Revised Statutes Supplement, 1998"; and in line 13 after "Nebraska" insert ", and section 71-4733, Revised Statutes Supplement, 1998".

3. Renumber the remaining sections and correct internal references accordingly.

Senator Dierks filed the following amendment to LB 833:
(Amendment, AM3063, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

RESOLUTIONS

LEGISLATIVE RESOLUTION 369. Introduced by Preister, 5.

PURPOSE: The purpose of this study is to (1) examine ways to divert lead and other hazardous materials, and products containing lead and hazardous materials, from landfills and the environment and (2) research methods to recover and reuse such products. The study should also assess what resources are needed to create a plan to address this issue, including, but not limited to, the costs associated with the development of a plan, the implementation of recommendations identified in the plan, and the monitoring of compliance with the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee and the Appropriations Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.
2. That the committees shall draw upon information provided by federal, state, and local agencies and private groups to make their assessments.
3. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 370. Introduced by Preister, 5.

PURPOSE: The purpose of this study is to examine ways to prevent contamination from entering waters of the state and to assess what resources are needed to create a plan to address this issue, including, but not limited to, the costs associated with the development of a plan, the implementation of recommendations identified in the plan, and the monitoring of compliance with the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee and the Appropriations Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.
2. That the committees shall draw upon information provided by federal, state, and local agencies and private groups to make their assessments.
3. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 371. Introduced by General Affairs Committee: Janssen, 15, Chairperson; Connealy, 16; Cudaback, 36; Dickey, 18; Hartnett, 45; Quandahl, 31; Schrock, 38; Smith, 48.

PURPOSE: The purpose of this study is to address the problems associated with the use of alcohol and tobacco by those under the legal age to do so and to explore alternatives to the current manner in which minors are cited for such offenses.

The study shall include, but not be limited to:

1. Possible alternatives to fines and jail, including driver's license suspension and diversion and education programs;
2. Ways to ensure statewide consistency in penalties for all minors;
3. Costs involved in any such additional programs; and
4. Any other matters appropriate for a complete examination of the issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 372. Introduced by Dw. Pedersen, 39.

PURPOSE: To examine issues relating to extraterritorial jurisdiction of municipalities and whether people residing in such area are being adequately represented by such municipal governing bodies. In particular, many people living within the area of extraterritorial jurisdiction have expressed the concern that they are the victims of taxation without representation as they are taxed for various services but have no opportunity to vote for a city representative. As urban sprawl is a trend throughout the state, this concern will become more widespread and should be studied as a statewide issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT COMMITTEE REPORT
Enrollment and Review

Correctly Reengrossed

The following bill was correctly reengrossed: LB 480A.

(Signed) Adrian M. Smith, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Vrtiska asked unanimous consent to have his name added as cointroducer to LB 1348. No objections. So ordered.

VISITORS

Visitors to the Chamber were 40 students and teacher from Lexington High School; Senator Baker's wife, Pat Baker, 22 students, and teachers from Lakeside Central Elementary School; Senator Hilgert's wife, son, and mother, Cara, Jack, and Mary, from Omaha; 40 fourth grade students and teacher from Lyons-Decator Schools, Lyons; Senator Tyson's daughters and grandchildren, Elizabeth, William, and Maggie Goldhammer, Catherine Tyson, Sammantha and Katie Petersen; 9 members of Senator Smith's Youth Advisory Council from Gering, Mitchell, and Minatare; Senator Kristensen's parents, Don and Mary Lou, from Minden and uncle, Eugene Kristensen, from Tijeras, New Mexico; Sarah Ahrens from Lincoln; and 84 fourth grade students and teachers from Cottonwood Elementary School, Omaha.

ADJOURNMENT

At 2:11 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Monday, March 27, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTIETH DAY - MARCH 27, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 27, 2000

PRAYER

The prayer was offered by Pastor William Thornton, Capitol City Christian Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Dierks, Engel, Kiel, Kristensen, Landis, Robak, Schimek, Wehrbein, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-ninth day was approved.

MOTION - Approve Appointments

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 1214: Nebraska Motor Vehicle Industry Licensing Board - Jerry Haggadone, William Cannon, and Kevin Langel.

Voting in the affirmative, 33:

Aguilar	Baker	Bohlke	Bourne	Bromm
Brown	Bruning	Byars	Connealy	Coordsen
Crosby	Cudaback	Dickey	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Jones	Kremer
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Price
Quandahl	Raikes	Schmitt	Schrock	Smith
Suttle	Tyson	Vrtiska		

Voting in the negative, 1:

Chambers

Present and not voting, 6:

Beutler Brashear Preister Redfield Stuhr
Thompson

Excused and not voting, 9:

Dierks Engel Kiel Kristensen Landis
Robak Schimek Wehrbein Wickersham

The appointments were confirmed with 33 ayes, 1 nay, 6 present and not voting, and 9 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1285. E & R amendment, AM7215, found on page 912, was adopted.

Senator Bromm renewed his pending amendment, AM2456, found on page 833.

Senator Bromm asked unanimous consent to replace his pending amendment, AM2456, found on page 833, with a substitute amendment. No objections. So ordered.

Senator Bromm withdrew his amendment, AM2456, found on page 833.

Senators Bromm, Landis, and Kristensen offered the following substitute amendment:
(Amendment, AM3082, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

PRESIDENT MAURSTAD PRESIDING

Pending.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 300 and 304.

SELECT FILE

LEGISLATIVE BILL 1285. The Bromm et al. pending amendment, AM3082, printed separately and referred to in this day's Journal, was renewed.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

The Bromm et al. amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Bromm withdrew the Bromm et al. amendment, AM2986, printed separately and referred to on page 1264.

Advanced to E & R for engrossment.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Reengrossed

The following bills were correctly reengrossed: LBs 1253 and 1352.

Correctly Engrossed

The following bills were correctly engrossed: LBs 414, 414A, 1399, and 1399A.

Enrollment and Review Change to LB 1399

The following changes, required to be reported for publication in the Journal, have been made:
ER9143
1. In the Schimek et al. amendment, AM3041, on page 1, lines 2, 10, and 15, "Services" has been struck and "Service" inserted.
2. In the E & R amendments, AM7237, on page 12, line 9, "to provide duties for the Nebraska Volunteer Service Commission;" has been inserted after the first semicolon.

Enrollment and Review Change to LB 1399A

The following changes, required to be reported for publication in the Journal, have been made:
ER9144
1. In the Schimek amendment, AM3044:
a. Section 4 has been renumbered as section 3; and
b. On page 1, lines 9 and 13, "Services" has been struck and "Service" inserted.

(Signed) Adrian M. Smith, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 373. Introduced by Schrock, 38.

PURPOSE: To study the financial responsibilities of Nebraska's public electric utility industry in the operation and decommissioning expenses of the nuclear power plants wholly owned or partially owned by Nebraska's public electric utility companies. In addition, the study will examine the potential cost of alternative replacement power at the time of decommissioning.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 374. Introduced by Schrock, 38.

PURPOSE: To study and review the need to provide authority to the Department of Environmental Quality to accept voluntary fees or co-payments to be paid by applicants for the review and processing of permits issued by the department or for conducting any studies or other evaluations required prior to permit issuance.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 375. Introduced by Schrock, 38.

PURPOSE: To study the financial and environmental implications of the removal of environmental contaminants from buildings or other structures that are publicly owned, have been abandoned and condemned, or are in possible need of demolition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this

resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 376. Introduced by Schrock, 38.

PURPOSE: To study the powers of the Department of Environmental Quality as they relate to the protection of cold water class A streams in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 377. Introduced by Schrock, 38.

PURPOSE: To examine the environmental effects of air pollutants from agriculture processing facilities' wastewater treatment lagoons.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 378. Introduced by Schrock, 38.

PURPOSE: To examine axle weights, trailer combinations, and length limitations on the trucking industry and the effects on the financial viability of that industry and financial impacts on other co-dependent industries.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report

of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 379. Introduced by Schrock, 38.

PURPOSE: To examine ways to enhance public awareness of the Nebraska Environmental Trust Act and its mission.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 380. Introduced by Schrock, 38.

PURPOSE: To conduct an interim study to examine current laws concerning mountain lions in the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 381. Introduced by Schrock, 38.

PURPOSE: To continue the study which was started under LR 107 (1999) to examine the possibilities of developing a water banking program in the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 382. Introduced by Schrock, 38.

PURPOSE: To study the effects of the use of MTBE (methyl tertiary butyl ether) in Nebraska on the environment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 383. Introduced by Schrock, 38.

PURPOSE: To study solid waste collection services as they relate to the Integrated Solid Waste Management Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 384. Introduced by Schrock, 38.

PURPOSE: To examine the need to provide the Department of Environmental Quality with the authority to assess administrative fines for violations of the Environmental Protection Act, the Integrated Solid Waste Management Act, the Livestock Waste Management Act, and any rules, regulations, or orders adopted and promulgated under such acts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 385. Introduced by Schrock, 38.

PURPOSE: To study and review all state statutes, regulations, and policies on scrap tire management and disposal, and to assess the need for changes to these statutes, regulations, and policies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 386. Introduced by Schrock, 38.

PURPOSE: To study the creation of an environmental stewardship program for Nebraska that may offer incentives to regulated business which demonstrate a record of environmental excellence in regulatory compliance, pollution prevention, waste minimization, and improvement of environmental performance.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 387. Introduced by Schrock, 38.

PURPOSE: To study issues raised under Integrated Solid Waste Management Act enacted in 1992 and to determine whether the goals established under the act have been reached, and if not, what should be done to attain those goals.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 388. Introduced by Price, 26.

PURPOSE: The purpose of this resolution is to determine an appropriate manner to evaluate the maintenance and replacement needs of K-12 public education buildings in the State of Nebraska. Public school boards are being forced to choose between (1) providing adequate facilities that enhance the learning environment, (2) offering a curriculum that addresses state standards of achievement, and (3) offering competitive salaries for all of their employee groups. The study shall investigate a method of determining a process to evaluate the current conditions of any school buildings used for instruction, a process to determine if school districts have neglected to maintain buildings as a means of conserving property taxes or because the district's budget would not permit the expenditure, and a certificate of need process that would determine the appropriateness of building new buildings or remodeling existing buildings in a district.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 389. Introduced by Thompson, 14; Byars, 30.

PURPOSE: The purpose of this study is to review the need for all passengers in vehicles driven by a provisional driver to wear seat belts. The study shall consider, but not be limited to, the following issues:

(1) Accident statistics for drivers in this age category;
(2) Safety issues; and
(3) Law enforcement issues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 390. Introduced by Thompson, 14; Byars, 30.

PURPOSE: The purpose of this study is to review the need for seat belts to be installed on school buses.

The study shall consider, but not be limited to, the following issues:

1. Safety issues;
2. What types of seat belts should be considered for installation;
3. Costs of the installation; and
4. Enforcement of such laws, if enacted.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 391. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to examine allowing parents of infants to voluntarily abandon their child and be immune to prosecution as long as the child's health is not endangered in the process. Issues that need to be examined include, but are not limited to, who should be immune from prosecution, the maximum age for a child to be abandoned without parental prosecution, the provision of medical information, and the effectiveness of other states' laws.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 392. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to review the need for hepatitis B and varicella (chicken pox) vaccines for children entering day cares, Head Start, and K-12 schools in Nebraska. An increasing number of states and jurisdictions are requiring one or both of these vaccinations prior to entering day care facilities or public schools. In addition, the American Academy of Pediatrics recently recommended that states mandate the varicella vaccine. The study shall examine and seek information available from public health officials and other interested parties regarding the effectiveness of these vaccines, policies regarding exemptions from immunization requirements, and benefits of vaccination requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 393. Introduced by Thompson, 14.

PURPOSE: In 2000, Legislative Bill 1275 was introduced to provide privileged communication for domestic violence or sexual assault advocates. Currently, domestic violence or sexual assault advocates do not have protection from being subpoenaed into court and asked to reveal communications between themselves and the victim. This study shall examine and gather information from domestic violence or sexual assault advocates, the Nebraska State Bar Association, and various other interested parties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 394. Introduced by Thompson, 14.

PURPOSE: Methamphetamine is an addictive stimulant drug that strongly activates certain systems in the brain. Methamphetamine is made in illegal laboratories and has a high potential for abuse and dependence. The use of methamphetamines in Nebraska has increased markedly in recent years. The purpose of this study is to examine the need for methamphetamine specific treatment and how the use of methamphetamine has impacted communities, the criminal justice system, and other entities throughout Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 395. Introduced by Thompson, 14.

PURPOSE: The Substance Abuse Treatment Task Force's Final Report found that in FY1999-00, the total amount of substance abuse treatment dollars in Nebraska was $19,702,702. Of these dollars, only four percent were specifically allocated to the adult criminal justice system and one percent was specifically allocated to the juvenile justice system. No substance abuse dollars were allocated to the courts or to probation. The task force concluded that the need for substance abuse treatment among offenders does not match the funding available to provide treatment for offenders. The purpose of this study is to review how current substance abuse treatment dollars are being expended in Nebraska and recommend ways to address the unmet needs for treatment in the criminal and juvenile justice systems.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 396. Introduced by Thompson, 14.

PURPOSE: The Nebraska Juvenile Services Master Plan found that, in an analysis of youth in juvenile correctional facilities in 1999, Nebraska's rate of incarceration in state-operated juvenile correctional facilities was substantially higher than its comparison states. Specifically, it found that Nebraska has a much higher percentage of girls in juvenile correctional facilities at 27.1% versus 12.8% for its peer states, and the offenses for which the girls are committed are less serious than those of their male counterparts. The purpose of this study is to examine the reasons behind this disparity and to make recommendations regarding what steps can be taken to decrease this high incarceration rate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 397. Introduced by Thompson, 14.

PURPOSE: Research findings continue to identify public health concerns about the effects of environmental tobacco smoke (ETS) on public health. This study shall examine the effects of ETS on Nebraska children, the effects of ETS on Nebraskans with respiratory disease, heart disease, and other diseases, the health risks related to public exposure of ETS, and the effectiveness of barriers and ventilation systems aimed at decreasing the negative effects of ETS.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 398. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to examine the feasibility of establishing an organ and tissue donor registry. Currently, Nebraska allows drivers to indicate their desire to donate organs and tissue as part of the driver's license application process. The information is not maintained or made available in a statewide computer data base. Allowing medical and organ retrieval personnel to access this information for families of patients who are possible organ and tissue donors could increase the number of donations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 399. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to examine the costs associated with the use of immunosuppressive medications (anti-rejection drugs) by organ transplant recipients. The study should review:

1. The current Medicare coverage for these medications;
2. The cost to Medicare for immunosuppressive drugs for kidney transplant recipients compared to the health care costs for dialysis patients;

3. The options available to and costs involved with patients who have private health insurance benefits;
4. Federal legislative efforts aimed at providing additional coverage for such patients; and
5. Options available to the State of Nebraska to positively impact the lives of transplant recipients.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 400. Introduced by Thompson, 14; Suttle, 10.

PURPOSE: The purpose of this study is the development of Children's Services Councils in Nebraska. Children's Services Councils are county programs created by a vote of the people granting the authority to levy an ad valorem tax for children's services. This county program would provide a funding resource for children's services such as child care, youth development, mentoring, child abuse and neglect prevention and intervention services, and health services. This study would review the effectiveness of existing programs in other states and legislative action needed to develop these councils in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 401. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study whether Nebraska should adopt the Uniform Principal and Income Act (1997) in place of Nebraska's version of the 1962 uniform act on this subject.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 402. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study the provisions of the Delayed Deposit Services Licensing Act to determine what changes and updating would be appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 403. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study the licensing of insurance agents and brokers, with an emphasis on a study of the contents and purposes of the National Association of Insurance Commissioners revised Model Producer's Licensing Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 404. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study the impact of the enactment of S. 900, commonly known as the "Gramm-Leach-Bliley Financial Services Modernization Act" on the regulation of insurance by the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out

the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 405. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study the provisions of the Public Funds Deposit Security Act, including a review of issues regarding the pooling of securities by a depository bank or capital stock financial institution to secure the deposit of public funds of one or more governmental units, to determine what changes and clarification in the law would be appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 406. Introduced by Hilgert, 7; Quandahl, 31.

PURPOSE: In the years following the end of the Gulf War of 1991, some military personnel began to exhibit certain symptoms that have come to be known as Gulf War Syndrome. Many states have chosen to address this affliction in different ways.

The purpose of this resolution is to initiate an examination of what the State of Nebraska can do relative to Gulf War Syndrome. The examination should include, but not be limited to: (1) What other states currently do in this subject, (2) the possible establishment of a commission to provide assistance to Gulf War veterans in obtaining services, (3) whether a more substantive survey on the Gulf War Syndrome is needed and what agency should be responsible for conducting such survey, and (4) any other issues the committee determines are relevant to the study of this subject.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 407. Introduced by Hilgert, 7.

PURPOSE: The purpose of this resolution is to examine the possibility of creating a program in Nebraska by which unwanted infants (up to seventy-two hours old) could be left with a hospital in a confidential and safe manner. The study should include, but not be limited to: (1) An examination of such a program currently utilized in Minnesota, (2) how often infants are abandoned in Nebraska, (3) need for such program, (4) the best method for implementation of such program, (5) what facilities would be best equipped to handle such program, and (6) any other issues the committee determines are relevant to the study of this subject.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 408. Introduced by Hilgert, 7.

PURPOSE: The purpose of this resolution is to study the possibility of allowing triple-trailer towing in Nebraska. The study should include, but not be limited to: (1) An examination of what other states currently authorize the towing of triple trailers, (2) what restrictions, including restrictions on length, safety, and drivers, that other states have for triple-trailer towing, (3) what businesses or organizations currently located in Nebraska would benefit from this authorization, (4) the status of the federal freeze on the length of vehicles, and (5) any other issues the committee determines are relevant to the study of this subject.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 409. Introduced by Hartnett, 45.

PURPOSE: Since 1980, with the adoption of the Nebraska Visitors

Development Act, counties in Nebraska have been authorized to collect a lodging tax of two percent on hotel and motel occupancy charges to create funding for promotional activities to encourage tourism in the area. Since 1989, Douglas County has been authorized to collect up to an additional two percent and can use the funds collected to improve visitor attractions and facilities in the county.

LB 847 was introduced in the 1999 legislative session (and heard by the Government, Military and Veterans Affairs Committee of the Legislature) and LB 1303 was introduced in the 2000 legislative session. Both bills would authorize additional counties to exercise the authority granted to Douglas County (without authorizing any additional tax increases).

This study would investigate the current status of the lodging tax, the amount of revenue it generates, and the manner in which that revenue is used. It would endeavor to determine the appropriate rationale, if such can be done, for permitting these funds to be devoted to capital improvement purposes and would seek to establish if, in the interests of good public policy and in accomplishing the stated goals of the act, additional changes should be made.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 410. Introduced by Hartnett, 45.

PURPOSE: This study, following a fifteen-year tradition, will provide the opportunity for the Urban Affairs Committee to investigate and review matters and issues arising during the interim which are within the jurisdiction of the committee, and which may be the subject of bills to be introduced in the 2001 legislative session. This provides the opportunity for a careful review of proposed legislation and the drafting of such legislation before time constraints and the pace of legislative activity makes studied review more problematic. This process has also served to facilitate a review of bills during the session and has helped the committee avoid the need for committee amendments which slow down the consideration of bills by the Legislature.

This study will involve:

(1) A review of legislation considered by the Urban Affairs Committee during the 2000 legislative session which was either killed by the committee or held in committee to determine what other further action might be warranted with regard to the particular subjects of the individual bills;

(2) A review of problems, concerns, or legislation proposed for introduction by senators or other parties for study, technical discussion, or

conceptual refinement before the start of the next legislative session; and

(3) The conducting of at least one public hearing to provide an opportunity for public comment and discussion with members of the committee and the public on issues involving matters within the committee's jurisdiction.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 411. Introduced by Hartnett, 45.

PURPOSE: In consequence of the amendment to Article VIII, section 1, of the Constitution of Nebraska, enacted in 1998, and the changes made in LB 142 (1999), both of which mandate that motor vehicle taxes go solely to municipalities, counties, and school districts, sanitary and improvement districts have lost a significant portion of the tax revenue that they have relied upon in the past. The result will be significantly higher property tax levies for residents and property owners in those districts.

In the 2000 legislative session, the Urban Affairs Committee considered two bills (LB 1301 and LB 1320) which sought to provide additional revenue to sanitary and improvement districts for street and road construction and maintenance or to remove certain of their responsibilities and transfer them to the counties. It became clear from public hearings on the bills that additional research and discussion on the issue would be necessary.

The purpose of this study will be to investigate other potential sources of revenue for sanitary and improvement districts or to develop other strategies aimed at minimizing the amount of lost revenue and preventing property tax increases in such districts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 412. Introduced by Hartnett, 45.

PURPOSE: In LB 674, enacted in 1999, provisions were adopted to insure that the value of the benefits paid to Nebraska State Patrol retirees would be equivalent to sixty percent of the original annuity as adjusted for consumer price index changes since the commencement date of the annuity.

The purpose of this study will be to determine the impact of the changes made by LB 674 and to provide an opportunity to inquire into the status of the benefits to be provided to long-term retirees and to determine if additional adjustments should be made. The study will seek to receive additional information from retirees and to determine the most appropriate legislation for recommendation to the Legislature in the 2001 legislative session to insure adequate retirement benefits for such retirees.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Nebraska Retirement Systems Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 413. Introduced by Hartnett, 45.

PURPOSE: State law gives authority to cities and villages to adopt building codes, plumbing codes, electrical codes, fire prevention codes, and other codes relating to building and construction. Under state law, cities and villages that adopt building codes are required to adopt the Uniform Building Code and can make modifications to accommodate local conditions. The three model building code organizations, including the organization that developed the Uniform Building Code, have engaged in a process to unify, coordinate, and integrate the various building codes and have completed the 2000 International Codes to replace these existing building codes. This development needs to be studied by the Legislature to address questions about whether cities and villages should adopt some or all of the 2000 International Codes as their building codes, what options are available to cities and villages, and what state laws need to be amended to accommodate such changes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 414. Introduced by Hartnett, 45.

PURPOSE: In 1993, the Legislature authorized a two-year task force study of historic preservation. The task force included broad professional and public membership, including representatives of diverse public organizations having an interest in public preservation. The task force met in public forums across the state to solicit input on all aspects of historic preservation and, in addition, commissioned a University of Nebraska-Lincoln Nebraska Social Indicators Survey that indicated 98% of Nebraskans felt historic preservation was important, 90% felt historic preservation is important to public officials who are responsible for tourism and economic development, and 74% felt government should help pay for historic preservation.

The findings and recommendations of the task force were presented to the Legislature in 1995. A primary recommendation included the need for the development of a wide range of economic incentives to preserve Nebraska's historic places.

Nebraska currently is one of only four states in the nation that offers no preservation incentive, although historic preservation is recognized as an important component in housing and neighborhood redevelopment, commercial and "main street" revitalization, and tourism enhancement in our state.

This study would up-date the work of the task force, compile additional information on the various strategies for providing economic and tax incentives, determine the most efficient, economical, and effective means for encouraging historical preservation, and provide a rationale for its adoption.

This study shall be conducted in cooperation with the Nebraska State Historical Society.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue and Urban Affairs Committees of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 415. Introduced by Brashear, 4.

PURPOSE: An individual who is the subject of a bankruptcy proceeding may protect some of his or her earnings pursuant to section 25-1558 which limits garnishment on earnings from personal services. The purpose of this study is to determine whether the definition of "earnings", which is defined in part as "compensation paid or payable for personal services", should be amended in order to prevent the unintended sheltering of money.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE

NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 416. Introduced by Brashear, 4; Dierks, 40.

PURPOSE: To conduct a study of civil protective custody statutes and procedure as such statutes and procedure relate to individuals who are intoxicated and dangerous to themselves or others. The study should include, but not be limited to, an examination of detoxification facilities and their ability to handle persons dangerous to themselves or others, as well as an examination of the availability of facilities across the state which are able to treat such individuals.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 417. Introduced by Brashear, 4; Dw. Pedersen, 39.

PURPOSE: To conduct a study of community corrections in Nebraska. The study should include, but is not limited to, an evaluation of the effectiveness and efficiency of community corrections. Following evaluation, recommendations should be made, if necessary, to improve any programmatic or systemic problems with the current system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1025A. Introduced by Suttle, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1025, Ninety-sixth Legislature, Second Session, 2000.

AMENDMENTS - Print in Journal

Senator Thompson filed the following amendment to LB 1167:
AM3078

(Amendments to Standing Committee amendments, AM2678)

1. Strike section 19.
2. On page 40, line 9, strike "33, and 37" and insert "32, and 36"; in line 10 strike beginning with "21" through "36" and insert "20 to 30, 34, and 35"; and in line 14 strike "43-286,".
3. Renumber the remaining sections accordingly.

Senator Suttle filed the following amendment to LB 1167:
AM2915

(Amendments to Standing Committee amendments, AM2678)

1. Insert the following sections:

"Sec. 20. The court may appoint a court appointed special advocate volunteer pursuant to the Court Appointed Special Advocate Act.

Sec. 22. Sections 22 to 37 of this act shall be known and may be cited as the Court Appointed Special Advocate Act.

Sec. 23. For purposes of the Court Appointed Special Advocate Act, the definitions in sections 24 to 26 of this act apply.

Sec. 24. Child means an individual under nineteen years of age.

Sec. 25. Court appointed special advocate volunteer or volunteer means an individual appointed by a court pursuant to the Court Appointed Special Advocate Act.

Sec. 26. Court appointed special advocate program means a program established pursuant to the Court Appointed Special Advocate Act.

Sec. 27. (1) Court appointed special advocate programs may be established and shall operate pursuant to the Court Appointed Special Advocate Act.

(2) A court appointed special advocate program shall:

(a) Be an organization that screens, trains, and supervises court appointed special advocate volunteers to advocate for the best interests of children when appointed by a court as provided in section 31 of this act. Each court may be served by a court appointed special advocate program. One program may serve more than one court;

(b) Hold regular case conferences with volunteers to review case progress, and conduct annual performance reviews for all volunteers;

(c) Provide staff and volunteers with written program policies, practices, and procedures; and

(d) Provide the training required pursuant to section 29 of this act.

Sec. 28. The program director of the court appointed special advocate program shall be responsible for the administration of the program, including recruitment, selection, training, supervision, and evaluation of staff and court appointed special advocate volunteers.

Sec. 29. (1) All court appointed special advocate volunteers shall participate fully in preservice training, including, but not limited to, instruction on recognizing child abuse and neglect, cultural awareness, socioeconomic issues, child development, the juvenile court process, permanency planning, volunteer roles and responsibilities, advocacy, information gathering, and documentation. Volunteers shall be required to participate in observation of court proceedings prior to appointment.

(2) All volunteers shall receive a training manual that includes guidelines for service and duties.

(3) Each court appointed special advocate program shall provide a minimum of ten hours of inservice training per year to volunteers.

Sec. 30. (1) The minimum qualifications for any prospective court appointed special advocate volunteer are that he or she shall:

(a) Be at least twenty-one years of age or older and have demonstrated an interest in children and their welfare;

(b) Be willing to commit to the court for a minimum of one year of service to a child;

(c) Complete an application, including providing background information required pursuant to subsection (2) of this section;

(d) Participate in a screening interview; and

(e) Participate in the training required pursuant to section 29 of this act.

(2) As required background screening, the program director shall obtain the following information regarding a volunteer applicant:

(a) A check of the applicant's criminal history record information maintained by the Identification Division of the Federal Bureau of Investigation through the Nebraska State Patrol;

(b) A check of his or her record with the state Abused or Neglected Child Registry;

(c) A check of his or her driving record; and

(d) At least three references who will attest to the applicant's character, judgment, and suitability for the position of a court appointed special advocate volunteer.

(3) If the applicant has lived in Nebraska for less than twelve months, the program director shall obtain the records required in subdivisions (2)(a) through (2)(c) of this section from all other jurisdictions in which the applicant has lived during the preceding year.

Sec. 31. (1) A judge may appoint a court appointed special advocate volunteer in any proceeding brought pursuant to section 43-247 or section 43-292 when, in the opinion of the judge, a child who may be affected by such proceeding requires services that a volunteer can provide and the court finds that the appointment is in the best interests of the child.

(2) A volunteer shall be appointed pursuant to a court order. The court order shall specify the volunteer as either:

(a) A co-guardian ad litem, if both a volunteer and an attorney are appointed as guardians ad litem; or

(b) A friend of the court acting on the authority of the judge. The volunteer acting as a friend of the court may offer as evidence a written report with recommendations consistent with the best interests of the child, subject to all pertinent objections.

(3) A memorandum of understanding between a court and a court appointed special advocate program is required in any county where a program is established and shall set forth the roles and responsibilities of the court appointed special advocate volunteer. For cases in which the volunteer is appointed as a co-guardian ad litem, the memorandum of understanding shall set forth the roles and responsibilities of the co-guardians ad litem.

(4) The volunteer's appointment shall conclude:

(a) When the court's jurisdiction over the child terminates;

(b) Upon discharge by the court on its own motion;

(c) With the approval of the court, at the request of the program director of the court appointed special advocate program to which the volunteer is assigned; or

(d) Upon successful motion of a party to the action for the removal of the volunteer because the party believes the volunteer has acted inappropriately, is unqualified, or is unsuitable for the appointment.

Sec. 32. A court appointed special advocate volunteer shall not:

(1) Accept any compensation for the duties and responsibilities of his or her appointment;

(2) Have any association that creates a conflict of interest with his or her duties;

(3) Be related to any party or attorney involved in a case;

(4) Be employed in a position that could result in a conflict of interest or give rise to the appearance of a conflict; or

(5) Use the position to seek or accept gifts or special privileges.

Sec. 33. (1) Upon appointment in a proceeding, a court appointed special advocate volunteer shall:

(a) Conduct an independent examination regarding the best interests of the child that will provide factual information to the court regarding the child and the child's family. The examination may include interviews with and observations of the child, interviews with other appropriate individuals, and the review of relevant records and reports; and

(b) Determine if an appropriate permanency plan has been created for the child, whether appropriate services are being provided to the child and the child's family, and whether the treatment plan is progressing in a timely manner.

(2) The volunteer, with the support and supervision of the court appointed special advocate program staff, shall make recommendations consistent with the best interests of the child regarding placement, visitation, and appropriate services for the child and the child's family and shall prepare a written report to be distributed to the court and the parties to the proceeding.

(3) The volunteer shall monitor the case to which he or she has been appointed to assure that the child's essential needs are being met.

(4) The volunteer shall make every effort to attend all hearings, meetings, and any other proceeding concerning the case to which he or she has been appointed.

(5) The volunteer may be called as a witness in a proceeding by any party or the court.

Sec. 34. (1) All government agencies, service providers, professionals, parents, and families shall cooperate with all reasonable requests of the court appointed special advocate volunteer. The volunteer shall cooperate with all government agencies, service providers, professionals, parents, and families.

(2) The volunteer shall be notified in a timely manner of all hearings, meetings, and any other proceeding concerning the case to which he or she has been appointed. The court in its discretion may proceed notwithstanding failure to notify the volunteer or failure of the volunteer to appear.

Sec. 35. The contents of any document, record, or other information relating to a case to which the court appointed special advocate volunteer has access are confidential and the volunteer shall not disclose such information to persons other than the court, the parties to the action, and other persons authorized by the court. A violation of this section is a Class III misdemeanor.

Sec. 36. Nothing in the Court Appointed Special Advocate

Act affects the attorney-client privilege.

Sec. 37. A court appointed special advocate volunteer shall be immune from civil liability to the full extent provided in the federal Volunteer Protection Act of 1997.".

2. On page 23, lines 24 and 25, strike "13 and 14" and insert "13, 14, and 20".

3. On page 40, line 9, strike "33, and 37" and insert "20 to 37, 50, and 54"; and in line 10, strike "21 to 31, 35, and 36" and insert "38 to 48, 52, and 53".

4. Renumber the remaining sections accordingly.

SELECT FILE

LEGISLATIVE BILL 352. E & R amendment, AM7241, printed separately and referred to on page 1167, was adopted.

Senator Bruning renewed his pending amendment, AM2787, found on page 1147.

The Bruning amendment was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Senator D. Pederson renewed his pending amendment, AM3073, found on page 1307.

The D. Pederson amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Crosby moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Senator Crosby requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 35:

Aguilar	Beutler	Bourne	Brashear	Bruning
Byars	Chambers	Connealy	Coordsen	Crosby
Cudaback	Dickey	Dierks	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Quandahl	Robak	Schimek	Schmitt	Schrock
Smith	Stuhr	Suttle	Vrtiska	Wehrbein

Voting in the negative, 9:

Bromm	Jones	Kremer	Price	Raikes

Redfield Thompson Tyson Wickersham

Present and not voting, 2:

Baker Bohlke

Excused and not voting, 3:

Brown Engel Kiel

Advanced to E & R for engrossment with 35 ayes, 9 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 352A. Advanced to E & R for engrossment.

SENATOR CUDABACK PRESIDING

LEGISLATIVE BILL 1124. E & R amendment, AM7243, found on page 1184, was adopted.

PRESIDENT MAURSTAD PRESIDING

Senator Coordsen renewed his pending amendment, AM3052, found on page 1307.

The Coordsen amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1124A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 973. E & R amendment, AM7244, printed separately and referred to on page 1232, was adopted.

Senator Janssen renewed his pending amendment, AM3053, found on page 1287.

The Janssen amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

AMENDMENTS - Print in Journal

Senator Thompson filed the following amendment to LB 1167:
AM3079
(Amendments to Standing Committee amendments, AM2678)

1. Strike section 19 and insert the following section:

"Sec. 19. Section 43-286, Reissue Revised Statutes of Nebraska, is amended to read:

43-286. (1) When any juvenile is adjudicated to be a juvenile described in subdivision (1), (2), or (4) of section 43-247:

(a) The court may continue the dispositional portion of the hearing, from time to time upon such terms and conditions as the court may prescribe, including an order of restitution of any property stolen or damaged or an order requiring the juvenile to participate in community service programs, if such order is in the interest of the juvenile's reformation or rehabilitation, and, subject to the further order of the court, may:

(i) Place the juvenile on probation subject to the supervision of a probation officer;

(ii) Permit the juvenile to remain in his or her own home or be placed in a suitable family home, subject to the supervision of the probation officer; or

(iii) Cause the juvenile to be placed in a suitable family home or institution, subject to the supervision of the probation officer. If the court has committed the juvenile to the care and custody of the Department of Health and Human Services, the department shall pay the costs of the suitable family home or institution which are not otherwise paid by the juvenile's parents.

Under subdivision (1)(a) of this section, upon a determination by the court that there are no parental, private, or other public funds available for the care, custody, and maintenance of a juvenile, the court may order a reasonable sum for the care, custody, and maintenance of the juvenile to be paid out of a fund which shall be appropriated annually by the county where the petition is filed until a suitable provision may be made for the juvenile without such payment; or

(b) The court may commit such juvenile to the Office of Juvenile Services, but a juvenile under the age of twelve years shall not be placed at the Youth Rehabilitation and Treatment Center-Geneva or the Youth Rehabilitation and Treatment Center-Kearney unless he or she has violated the terms of probation or has committed an additional offense and the court finds that the interests of the juvenile and the welfare of the community demand his or her commitment. This minimum age provision shall not apply if the act in question is murder or manslaughter.

(2) When any juvenile is found by the court to be a juvenile described in subdivision (3)(b) of section 43-247, the court may enter such order as it is empowered to enter under subdivision (1)(a) of this section or enter an order committing or placing the juvenile to the care and custody of the Department of Health and Human Services.

(3) Beginning July 15, 1998, when any juvenile is adjudicated to be a juvenile described in subdivision (1), (2),

(3)(b), or (4) of section 43-247 because of a nonviolent act or acts and the juvenile has not previously been adjudicated to be such a juvenile because of a violent act or acts, the court may, with the agreement of the victim, order the juvenile to attend juvenile offender and victim mediation with a mediator or at an approved center selected from the roster made available pursuant to section 25-2908.

(4)(a) When a juvenile is placed on probation or under the supervision of the court and it is alleged that the juvenile is again a juvenile described in subdivision (1), (2), (3)(b), or (4) of section 43-247, a petition may be filed and the same procedure followed and rights given at a hearing on the original petition. If an adjudication is made that the allegations of the petition are true, the court may make any disposition authorized by this section for such adjudications.

(b) When a juvenile is placed on probation or under the supervision of the court for conduct under subdivision (1), (2), (3)(b), or (4) of section 43-247 and it is alleged that the juvenile has violated a term of probation or supervision or that the juvenile has violated an order of the court, a motion to revoke probation or supervision or to change the disposition may be filed and proceedings held as follows:

(i) The motion shall set forth specific factual allegations of the alleged violations and a copy of such motion shall be served on all persons required to be served by sections 43-262 to 43-267;

(ii) The juvenile shall be entitled to a hearing before the court to determine the validity of the allegations. At such hearing the juvenile shall be entitled to those rights relating to counsel provided by section 43-272 and those rights relating to detention provided by sections 43-254 to 43-256. The juvenile shall also be entitled to speak and present documents, witnesses, or other evidence on his or her own behalf. He or she may confront persons who have given adverse information concerning the alleged violations, may cross-examine such persons, and may show that he or she did not violate the conditions of his or her probation or, if he or she did, that mitigating circumstances suggest that the violation does not warrant revocation. The revocation hearing shall be held within a reasonable time after the juvenile is taken into custody;

(iii) The hearing shall be conducted in an informal manner and shall be flexible enough to consider evidence, including letters, affidavits, and other material, that would not be admissible in an adversarial criminal trial;

(iv) The juvenile shall be given a preliminary hearing in all cases when the juvenile is confined, detained, or otherwise significantly deprived of his or her liberty as a result of his or her alleged violation of probation. Such preliminary hearing shall be held before an impartial person other than his or her probation officer or any person directly involved with the case. If as a result of such preliminary hearing probable cause is found to exist, the juvenile shall be entitled to a hearing before the court in accordance with this subsection;

(v) If the juvenile is found by the court to have violated the terms of his or her probation, the court may modify the terms and conditions of the probation order, extend the period of probation, or enter any order of disposition that could have been made at the time the original order of probation was entered; and

(vi) In cases when the court revokes probation, it shall enter a written statement as to the evidence relied on and the reasons for revocation.".

Senators Bromm and Thompson filed the following amendment to LB 1115:
AM3049

(Amendments to E & R amendments, AM7246)

1. On page 109, line 19, strike "or its political subdivisions".

Senator Thompson filed the following amendment to LB 1115:
AM3076

(Amendments to E & R amendments, AM7246)

1. In section 71-5707, strike subsection (4), show the old matter as stricken, and insert:

"(4) Except as provided in subsections (5), (6), and (7) of this section, smoking is prohibited (a) in all vehicles owned or leased by the state, (b) in all buildings, and the area within ten feet of any entrance of such buildings, which are owned, leased, or occupied by the state, and (c) within ten feet of any entrance of buildings owned, leased, or occupied by a political subdivision.".

RESOLUTIONS

LEGISLATIVE RESOLUTION 418. Introduced by Schrock, 38.

PURPOSE: To study the feasibility of providing compensation from the Nebraska Environmental Trust Fund to individuals engaged in agriculture for the development of buffer strips to minimize potential pollution problems.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 419. Introduced by Dw. Pedersen, 39.

PURPOSE: To examine the issuance of message plates. Year after year the Legislature is flooded with proposals to have special license plates for various groups. The Legislature should study the feasibility of issuing a generic message plate with a space for a decal or similar tag that could be purchased and attached indicating support for these groups. The study should investigate options, possible costs, and fees for such a license plate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 420. Introduced by Beutler, 28.

PURPOSE: To examine implementation and funding authority for municipalities to comply with the federal mandate imposing responsibility on many Nebraska municipalities to develop and implement storm water management programs.

In 1972, Congress amended the Clean Water Act (CWA) to prohibit discharge of any pollutant to waters unless the discharge is authorized by a permit. Subsequently, the federal Environmental Protection Agency (EPA) found that "storm water runoff from lands modified by human activities can harm surface water resources and, in turn, cause or contribute to . . . (the exceeding) of water quality standards by changing natural hydrologic patterns, accelerating stream flows, destroying aquatic habitat, and elevating pollutant concentrations and loadings." In 1987, Congress amended the CWA to regulate storm water discharge. Under the storm water program, the EPA is responsible for monitoring and reporting the effect of storm water discharge on water quality in streams and for conducting programs in public education and outreach concerning such discharge.

In 1990, the EPA adopted regulations for Phase I of the storm water program. Phase I requires municipalities with populations in excess of 100,000 to obtain a permit for any storm water discharge. On December 8, 1999, the EPA adopted Phase II regulations which expand this permit requirement to smaller municipalities that meet certain urbanized characteristics.

This study shall include: (1) A review of the requirements of 40 C.F.R. parts 122 to 124 and 64 Fed. Reg. 68722 (Dec. 8, 1999) as they relate to development and implementation of storm water management programs by Nebraska municipalities, (2) a determination of technical resources available to aid Nebraska municipalities in such program development and implementation, (3) an examination of funding alternatives for such program development and implementation, and (4) any other topic deemed necessary by the committee to carry out the purposes of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 421. Introduced by Jones, 43; Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the prevention of fires near railroad tracks.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 422. Introduced by Jones, 43; Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the time frame in which claims against railroads are accepted and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 423. Introduced by Matzke, 47; Wehrbein, 2; D. Pederson, 42.

PURPOSE: The purpose of this resolution is to review the extent to which office and other space is leased to house agencies of state government, particularly in Lincoln, Nebraska, and to consider alternatives for accommodating state agency space needs currently met with leased space. Consideration of alternatives shall include an analysis of the feasibility, expediency, and financial prudence of constructing a facility to centrally accommodate multiple state agency functions that are currently dispersed across numerous leased sites. The review shall include the identification of current premises leased, the quantity of space leased, and the lease terms and costs incurred relative to leased premises. The review shall also include a preliminary estimation of the probable costs to construct a facility to house multiple state agency functions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 973A. Introduced by Janssen, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 973, Ninety-sixth Legislature, Second Session, 2000.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1349.

A BILL FOR AN ACT relating to the Information Technology Infrastructure Act; to amend sections 81-1190 to 81-1192, 81-1194, 81-1195, 81-1199, and 81-11,102, Reissue Revised Statutes of Nebraska, section 81-179, Revised Statutes Supplement, 1998, and section 77-2602, Revised Statutes Supplement, 1999; to change provisions of the act; to define and redefine terms; to change funding; to change and eliminate an obsolete fund and powers and duties; to eliminate a termination date; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 14-3,130, 81-1193, 81-1196, 81-1197, 81-1198, 81-11,100, 81-11,101, and 81-11,103, Reissue Revised

Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Aguilar
Baker
Beutler
Bohlke
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Crosby
Dickey
Dierks
Engel
Hilgert
Hudkins
Jensen
Jones
Kremer
Kristensen
Landis
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Quandahl
Raikes
Schrock
Smith
Stuhr
Thompson
Tyson
Wehrbein
Wickersham

Voting in the negative, 13:

Bourne
Chambers
Cudaback
Hartnett
Janssen
Lynch
Price
Redfield
Robak
Schimek
Schmitt
Suttle
Vrtiska

Present and not voting, 1:

Brashear

Excused and not voting, 1:

Kiel

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB 1349.

UNANIMOUS CONSENT - Members Excused

Senators Connealy, Brown, Landis, Robak, and Lynch asked unanimous consent to be excused until they return. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 812. Senator Beutler withdrew his amendment, AM2892, found on page 1157 and considered on page 1264.

Senator Beutler offered the following amendment:
AM3090

1. Insert the following new section:
"Section 1. In accordance with timelines that are adopted by the State Board of Education, but in no event later that July 1, 2003, each school district shall adopt measurable quality academic content standards for every grade level in the subject areas of reading, writing, mathematics, science, social studies, and history. The standards may be the same as, or may be equal or exceed in rigor, the measurable model academic content standards adopted by the state board. The State Department of Education shall adopt and promulgate appropriate rules and regulations to insure the rigor of the measurable quality academic content standards.".
2. Renumber the remaining sections accordingly.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 424. Introduced by Bromm, 23; Thompson, 14; Hartnett, 45; Bruning, 3; Byars, 30.

PURPOSE: In 1988, the Department of Roads published the Nebraska Highway Needs Study. This was the result of the passage of legislation that called for a study and a continuing procedure for reporting annually to the Legislature on the state's highway needs and the department's planning and programming. The 1988 Nebraska Highway Needs Study considered the current and future highway needs in Nebraska.

Since 1988, Nebraska has seen considerable changes in population, traffic, and state and federal funding policies and priorities. It is beneficial to implement a study to review these changes and to examine how they have affected the current and future needs of Nebraska's transportation system and to determine if a full review and comprehensive revision of the previous study is necessary. If a revision of the 1988 study is determined to be necessary, the criteria and data on which that study was based should also be reviewed in order to determine if there are any additional criteria or data that should be considered for determining and funding future highway projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 425. Introduced by Bruning, 3.

PURPOSE: The purpose of this resolution is to authorize a study of the issues raised by Legislative Bill 1246, Ninety-sixth Legislature, Second Session, dealing with annexation of territory within a Class III school district by another school district. In particular, the study shall look at the effects on small or rural school districts of the changes proposed by LB 1246.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 426. Introduced by Dw. Pedersen, 39.

PURPOSE: To determine appropriate enforcement mechanisms for privately posted speed limits on private property. Such privately posted speed limits are commonly found in mall parking lots and other privately owned facilities playing host to a large number of vehicles. City or county law enforcement officers lack the authority to enforce such speed limits on private property. Conversely, security personnel hired by property owners lack the authority to give tickets or impose fines. This study should examine the current law to determine if enforcement mechanisms are currently available and, if not, examine alternatives to enable such privately posted speed limits to be enforced.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 427. Introduced by Engel, 17; Matzke, 47; Brown, 6; Quandahl, 31.

PURPOSE: The purpose of this study is to investigate the issues raised by legislation introduced this session concerning the use of traffic enforcement systems (photo monitoring devices) at intersections controlled by traffic control signals. Specifically, the study shall examine the constitutional concerns broached by the legislation (LB 1277), including Due Process, Equal Protection, and the Right to Privacy. Along with the constitutional inquiries, discussion shall include answering the question of how to implement the use of traffic enforcement systems without conflicting with the Nebraska Rules of the Road. Additionally, the study shall review how other states have implemented similar systems and how such systems have fared since their inception.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 27, 2000, at 11:40 a.m., was the following: LB 1349.

(Signed) Diana Bridges
Clerk of the Legislature's Office

VISITORS

Visitors to the Chamber were Anne Doering from Franklin; 45 fourth grade students and teachers from Brownell Talbot School, Omaha; and Reverend and Mrs. Thomas Richard Javor from Springfield.

RECESS

At 11:52 a.m., on a motion by Senator Smith, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senators Bromm, Brown, Crosby, Dickey, Dierks, Kiel, Kristensen, Landis, and Price who were excused until they arrive.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1115. Placed on Select File as amended.
(E & R amendment, AM7246, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 936. Placed on Select File as amended.
(E & R amendment, AM7247, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 936A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 812. The Beutler pending amendment, AM3090, found on page 1345, was renewed.

PRESIDENT MAURSTAD PRESIDING

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers offered the following amendment to the Beutler pending amendment:
FA346
Amend AM3090
P. 1, line 3, strike "that" and insert "than"; and in line 7 after "equal" insert "to".

SENATOR CUDABACK PRESIDING

The Chambers amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Senator Beutler moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Beutler requested a roll call vote on his amendment.

Voting in the affirmative, 27:

Aguilar	Baker	Beutler	Bourne	Bromm
Brown	Bruning	Chambers	Connealy	Dickey
Engel	Hudkins	Jensen	Kiel	Kristensen
Landis	Lynch	Matzke	Pederson, D.	Preister
Quandahl	Raikes	Redfield	Schimek	Schrock
Tyson	Wehrbein			

Voting in the negative, 19:

Bohlke	Brashear	Byars	Coordsen	Crosby
Cudaback	Dierks	Hartnett	Janssen	Jones

Pedersen, Dw.	Price	Schmitt	Smith	Stuhr
Suttle	Thompson	Vrtiska	Wickersham	

Present and not voting, 3:

Hilgert	Kremer	Robak

The Beutler amendment, as amended, was adopted with 27 ayes, 19 nays, and 3 present and not voting.

Pending.

The Chair declared the call raised.

EXPLANATION OF VOTE

Had I been present, I would have voted "aye" on the Final Reading of LBs 1448e, 1214e, 1214Ae, 1215e, 1216e, 1217e, 1328e, 1369, 1379, 1379Ae, 1427, 1427A, 213e, 929, 1085e, 1135, 1197e, 1436e, and 1436Ae.

(Signed) Curt Bromm

RESOLUTIONS

LEGISLATIVE RESOLUTION 428. Introduced by Brashear, 4.

PURPOSE: Nebraska has a number of statutes that punish offenders for theft, fraud, and destruction of property according to the dollar amount of loss suffered to the victim. This study should examine Nebraska's criminal statutes relating to theft, fraud, and destruction of property to ensure that consistency and fairness exist under the law and that the public's safety and security is maintained. Specifically, this study should evaluate the present applicability and definitions of Nebraska's theft, fraud, and destruction of property statutes and compare the pecuniary loss threshold of these statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 429. Introduced by Brashear, 4.

PURPOSE: A study to examine Nebraska's existing definition of the crime of burglary as codified in Neb. Rev. Stat. section 28-507. Nebraska presently defines the crime of burglary as the act of willfully, maliciously, and forcibly breaking and entering any real estate or any improvement erected thereon with the intent to commit any felony or with intent to steal property of any value. The purpose of this study is to evaluate this present definition and to specifically address the definition of the element of "breaking".

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 430. Introduced by Raikes, 25.

PURPOSE: Nebraska's public schools are one of the state's greatest resources. Nebraska students traditionally rank among the highest in the nation in achievement test scores. This tradition is attributable in large part to Nebraska's public school teachers. Yet national trends indicate that fewer and fewer people are choosing teaching as a profession. One reason for this may be that salaries are not commensurate with the professional training and requirements that teaching demands. All Nebraska school districts must be able to recruit and retain good teachers, particularly as the national teacher shortage makes itself known in Nebraska. This study will consider possible ways that the Tax Equity and Educational Opportunities Support Act can increase local districts' options for offering competitive salaries to teachers. In particular, the study will consider the impact of needs calculations, budget restrictions, and levy limitations on districts' ability to adjust spending to recruit and retain teachers. The opportunity of districts to address teacher salary issues through appeals to the Commission of Industrial Relations will also be considered.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 431. Introduced by Bohlke, 33.

PURPOSE: The purpose of this study resolution is to investigate and review matters and issues arising during the interim which are within the jurisdiction of the Education Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE

NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 432. Introduced by Bohlke, 33.

PURPOSE: The purpose of this study resolution is to reexamine the role of the groups working with educational service units, consisting of representatives of two-thirds of the member school districts, representing a majority of the students in the member school districts, as described in sections 79-1241 and 79-1242.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 433. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to examine establishing a Nebraska voluntary sentencing guidelines commission. The commission, similar to those established in other states, would work toward the goals of reducing disparity in sentencing and managing correctional resources.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 434. Introduced by Janssen, 15.

PURPOSE: To examine Nebraska's current policy of charging sales tax on postage for delivery of printed materials, especially circulars and fliers, and the effects of providing an exemption from this sales tax as proposed in LB 245, Ninety-sixth Legislature, First Session, 1999. The study shall include, but not be limited to, examining the tax policies of other states in regard to this issue, examining the legality of this state tax under federal law, and contacting the Postmaster General for an opinion on this issue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 435. Introduced by Preister, 5.

PURPOSE: The purpose of this study is to examine issues relating to territorial rating for automobile liability insurance and what can be done to lower the premium charge for automobile insurance. The study should assess what resources are needed to create a plan to address this issue, including, but not limited to, costs associated with the development of a plan, the implementation of recommendations identified in the plan, and the monitoring of compliance with the plan.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee draw upon information provided by federal, state, and local agencies and private groups in making its assessments.

3. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 436. Introduced by Kiel, 9.

PURPOSE: The purpose of this resolution is to study joint law enforcement and community projects to reduce gun violence. The study shall include, but not be limited to:

(1) identifying the effect gun violence has on the State of Nebraska and its citizens' health care costs, lost work production, and wages and the pain and anguish every victim experiences;

(2) Recognizing that the federal plan to put more police officers on the streets has resulted in a nationwide reduction of crime and studying the possibility of adding additional personnel to further reduce crime; and

(3) Examining programs such as Project Exile and other similar programs which give probation officers, court personnel, law enforcement personnel, and the community the ability to work together to prevent gun violence.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 437. Introduced by Kiel, 9.

WHEREAS, Omaha Police Officer Jeffrey Holland was shot and critically wounded during a bank robbery attempt on March 1, 2000, Nebraska State Patrol trooper Jeff Crymble was shot and critically wounded, and Lincoln County Deputy Sheriff Stan McKnight was shot and wounded by a fugitive on February 12, 2000; and

WHEREAS, numerous Nebraska men, women, and children have been critically wounded and killed by unauthorized and negligent firearm use; and

WHEREAS, a rash of shootings across the nation with illegally or negligently obtained firearms has shocked the conscience of the nation; and

WHEREAS, the citizens of Nebraska want to provide the safest environment possible for their children, their family members, their friends, and the law enforcement officers who devote their lives to protecting them.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its sympathy to all the individuals, their families, and their friends who have suffered due to gun violence in the State of Nebraska.
2. That the Legislature supports a safer working environment for our law enforcement officers by making it more difficult for children or nonauthorized users to illegally obtain and use firearms.
3. That the Legislature wants to protect the children of Nebraska through child-access protection for firearms, and demand that parents, guardians, and other adults take precautions in order to prevent a child or other nonauthorized user from obtaining a firearm.
4. That the Legislature urges the development of products and technology to prevent firearms from being used by any person other than the owner or an authorized user and that such products and technology be available for use.

Laid over.

LEGISLATIVE RESOLUTION 438. Introduced by Kiel, 9.

WHEREAS, many thousands of men and women have given their lives in the service of their country, preserving freedom for mankind; and

WHEREAS, the United States Government honors those individuals who have given their lives or shed their blood on foreign soil by awarding them the Purple Heart; and

WHEREAS, it is appropriate to further the recognition of those veterans who have given their lives for their country; and

WHEREAS, the original capital of the colonies, which then became the United States, was New York City; and

WHEREAS, Interstate I-80 proceeds from that original capital to the Pacific Ocean and passes through the heartland of this great country.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature hereby resolves to rename the Nebraska portion of Interstate I-80 as the "I-80 Purple Heart Trail." -

Laid over.

LEGISLATIVE RESOLUTION 439. Introduced by Schimek, 27; Hilgert, 7.

PURPOSE: The Legislature shall conduct a study to review current, supplemental, and alternative funding sources provided to Department of Health and Human Services Regulation and Licensure licensed facilities that provide alternative care.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 440. Introduced by Wickersham, 49.

PURPOSE: The purpose of this study is to examine alternate ways of distributing state aid to municipalities, counties, and natural resources districts. Municipalities and counties receive state aid from a number of sources through different programs that are not integrated and coordinated with respect to each other. The state aid to natural resources districts program is not based on any examination of the needs of each natural resources district compared to its ability to meet those needs with a tax levy. The loss of revenue from the fertilizer fee has cast doubt on the capacity of natural resources districts to meet the needs of their residents using only property tax and the current state aid formula. This study is to examine alternatives to the current aid formulas in an effort to coordinate the distribution of state aid to municipalities and counties and develop a formula that will best suit the needs of natural resources districts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Revenue Committee of the Legislature shall be designated to

conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 441. Introduced by Brashear, 4; Schmitt, 41; Robak, 22.

PURPOSE: To study the operating structure and legal authority of diversion programs for traffic offenses, including, but not limited to, a detailed examination of the statutes under which traffic diversion programs are established, the allocation of fees paid by diversion program participants in lieu of traffic fines, the feasibility of a statewide computerized registration system for diversion program participants, and assessment of the need for state oversight and development of a standardized curriculum, course length, and fee schedule for traffic diversion programs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 442. Introduced by Thompson, 14.

PURPOSE: The purpose of this study is to review the availability and quality of long-term care for Nebraskans with Alzheimer's disease.

Currently, 36,133 Nebraskans have Alzheimer's disease, a number that is expected to grow significantly in the next decade. Many are cared for in their homes, but many require out-of-home care in facilities. The study should examine the ability of the state's long-term care and assisted-living facilities to provide the specialized care required for these patients and patients with dementia, and examine the growing needs for the predicted growing numbers of such patients in the future.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 443. Introduced by Bohlke, 33.

PURPOSE: This study shall cover the following topics and make recommendations for legislation:

(1) Paying teachers for what they know and how they perform;

(2) Creating and funding alternate pay scales for teachers who choose extended contracts;

(3) Appropriate compensation levels for attracting and retaining quality teachers;

(4) The impact of benefits as a part of total compensation for teachers;

(5) Funding methods and sources for any increases in teacher compensation suggested by the task force;

(6) Whether there should be greater control of the educational process and facilities for the schools by the State of Nebraska if the state provides substantial additional funding for teachers' salaries; and

(7) Other topics as determined by the study committees.

The study committees shall hold at least one public hearing in each congressional district in Nebraska on the recommendations of the Teacher Salary Task Force before December 31, 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That Education, Revenue, and Appropriations Committees of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 444. Introduced by Bohlke, 33.

PURPOSE: The purpose of this study resolution is to provide information to the Legislature on the status of school facilities in districts that primarily serve students residing on Indian land and to provide potential recommendations for assisting such districts to improve the status of their school buildings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 445. Introduced by Schrock, 38.

PURPOSE: To study issues raised by Legislative Bill 1244, Ninety-sixth Legislature, Second Session, 2000, including funding for the air quality permit program administered by the Department of Environmental Quality and caps on emissions fees.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 446. Introduced by Byars, 30; Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the management and personnel structure and manpower needs of the Department of Roads.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 447. Introduced by Schrock, 38; Bromm, 23.

PURPOSE: The electric utility industry continues to undergo significant restructuring and deregulation. Nationally and regionally, public power entities and investor-owned power entities alike offer a wide range of products and services in addition to electricity. Investor-owned utilities operating in Nebraska, while not currently providing electric service, are offering other products and services in anticipation of a deregulated electric market. Accordingly, a study should be conducted of viability mechanisms for Nebraska's public power entities for the benefit of their customer-owners.

Study topics shall include, but are not limited to, the following areas:

(1) Regulatory, statutory, structural, and accounting issues which are relevant to public power districts, electric cooperatives, and municipalities in offering such expanded products and services;

(2) Issues surrounding the use of excess fiber optic cable capacity and

other telecommunications assets by public entities; and

(3) Any other topics deemed necessary to effectively carry out the purpose of this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee and the Natural Resources Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with any recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 448. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the interests of the State of Nebraska and its political subdivisions in the decision-making authority as to if and when railroad crossings will be closed.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 449. Introduced by Bromm, 23.

PURPOSE: To study the public policy and practical implications of a Pay-for-Stay program in both county and state incarceration facilities. The study should include, but not be limited to, an identification of current fees imposed on inmates, a review and recommendation concerning whether such fees should be modified, and an overview of the experience of other states and their political subdivisions in this area.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 450. Introduced by Bromm, 23.

PURPOSE: To study the public policy and practical implications of requiring zoning and land use planners to be subject to an independent assessment and affirmation of their knowledge and skills through certification, licensing, or registration systems.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 451. Introduced by Price, 26.

WHEREAS, Sally G. Wysong has served the children of Lincoln and Nebraska in many ways over the years; and

WHEREAS, Sally was the owner-teacher of Meadowlane Nursery School from 1967 until 1998, caring for and providing early childhood education for a generation of Lincoln's children and for their children as well; and

WHEREAS, Sally served on the Board of Education of the Lincoln Public Schools from 1990 to 1998, serving as board president in 1994; and

WHEREAS, Sally has received numerous honors recognizing her loving service to children over the years, including the Lincoln Education Association Friend of Education Award in 1992; the Kiwanis Club Outstanding Service to Youth Award in 1992; the Lincoln YWCA Tribute to Women Award in 1994; the Award of Achievement from the Nebraska Association of School Boards in 1994, 1995, and 1997; the Outstanding Service to Children Award from the Nebraska Association for the Education of Young Children in 1995; induction into the Lincoln Public Schools Early Childhood Hall of Fame in 1997; the Guardian Angel Award from St. Elizabeth Regional Medical Center Halo Program in 1999; and the Good Neighbor Award from the Meadowlane Area Residents Association in 1999; and

WHEREAS, Sally was born May 7, 1939, and married David S. Wysong June 14, 1958, and holds bachelor's and master's degrees in education from the University of Nebraska-Lincoln; and

WHEREAS, Sally and David are the parents of 5 children, Wendy Rickett, Michael Wysong, Jody Donovan, Elizabeth Hoffart, and Megan Wysong, and 7 grandchildren, Hadyn, Chadae, and Max Rickett, Matthew and Patrick Donovan, and Mikey and Anna Grace Wysong.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and thanks Sally G. Wysong for her years of devoted service to generations of children and their families in

Lincoln and across the state.

2. That a copy of this resolution be sent to Sally G. Wysong.

Laid over.

LEGISLATIVE RESOLUTION 452. Introduced by Quandahl, 31.

PURPOSE: The Legislature finds that, as the telecommunications industry has expanded in importance, the issue of theft of cable and other telecommunications services has taken on additional dimensions. The Legislature shall conduct an interim study on the theft of cable and other telecommunications services to determine if current statutes should be strengthened or changed. The review may consist of, but not be limited to:

(1) Theft of service as it relates to cable and telecommunications services;

(2) Lost revenue to companies and municipalities attributable to unauthorized reception of cable signals;

(3) Coordinating efforts among companies, law enforcement, and the justice system relating to theft of services; and

(4) The effect on consumer access to emergency services of tampering with signals and network plant and in-house equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 812. Senator Beutler offered the following amendment:

AM3091

1. Insert the following new section:

"Section 1. The State Board of Education shall adopt measurable model academic content standards for each grade level no later than July 1, 2001. The standards shall cover the subject areas of reading, writing, mathematics, science, social studies, and history. The standards adopted shall be sufficiently clear and measurable (1) to legally enable a periodic statewide assessment of the mastering of the academic content by the public school students of this state, (2) to use the results as accreditation indicators, and (3) for use for other purposes designed to improve student performance with respect to mastering of the content described in the standards.".

2. Renumber the remaining sections accordingly.

Senators Quandahl and Kremer asked unanimous consent to be excused until they return. No objections. So ordered.

The Beutler amendment was adopted with 25 ayes, 1 nay, 21 present and not voting, and 2 excused and not voting.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 453. Introduced by Dierks, 40.

PURPOSE: Recent international diplomatic activity has been directed toward regulating and facilitating trade in commodities and foodstuffs containing genetically-modified organisms (GMO's). The Biosafety Protocol, adopted by more than 130 countries on January 29, 2000, in Montreal, Canada, consumer resistance among the governments and populations of America's trading partners, and decisions by certain U.S. food exporters to exclude GMO's from exported products may lead to greater demand for segregation of GMO and non-GMO crops and labeling of food items containing GMO's. Additionally, domestic processors and growers may desire to respond to potential consumer demand in this country for products which are marketed as GMO free. In 2000, at least seven states considered legislation regarding labeling of consumer products with respect to GMO status and it is possible that similar legislation may be introduced in Nebraska. The purpose of this study resolution is to examine issues, difficulties, and potential benefits related to GMO labeling at the state level.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 454. Introduced by Dierks, 40.

PURPOSE: As agriculture production is becoming increasingly integrated, more of the nation's crops and livestock are grown under production contract arrangements. Integration in swine production has been especially dramatic over the past decade. As recently as 1995, less than 35% of hogs were grown under contract. Today, nearly 75% of hogs are grown under a long-term procurement contract. The report of the Agriculture Structure Task Force (LB 730, 1999) recommended that the Legislature consider legislation, often described as a contractor bill of rights, to assure that contracts and other terms of trade have minimum fair standards, particularly where only one or two buyers are active in a given region. LB 1071, Ninety-sixth Legislature, Second Session, 2000, introduced the concept of a contract/producer protection act. The purpose of this study is to examine issues associated with contract production and to determine appropriate actions to safeguard the economic and legal interests of producers under contractual arrangements. Among other things, the study shall specifically examine the ability of producers to form certified marketing associations to collectively bargain on behalf of producers, the vulnerability of producers when performance under the contract terms requires significant investments in facilities, and specific contract issues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 455. Introduced by Dierks, 40.

PURPOSE: The use of a "ledger" contract and its variations in long-term hog procurement contracts has been increasingly criticized. Under this type of contract, producers incur a deficit on their accounts when prices fall below a certain price and receive a credit when prices rise above that price. The intent is to provide a stable price mechanism with the anticipation that the "ledger" account will, due to price fluctuations, more or less balance over a period of time. However, persistent low prices for swine have placed many producers in an impossibly negative position, potentially creating both financial and legal hardships for producers. The purpose of this study is to examine the prevalence of "ledger" contracts in livestock procurement and to examine the economic, legal, and social issues associated with the "ledger" contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 456. Introduced by Dierks, 40.

PURPOSE: The purpose of this study is to examine the potential of the Internet to enhance producers' ability to access markets, to form alliances and cooperatives, and to access information dedicated to helping farmers make intelligent decisions about their future. The study shall seek to identify new areas in which the University of Nebraska Institute of Agriculture and Natural Resources, the Rural Development Commission, and the Department of Agriculture may provide services, courses, or information online to create new value-added, marketing, and career and employment opportunities for Nebraska farm families.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 457. Introduced by Dierks, 40.

PURPOSE: The ability of concerted action by various states to influence federal policy has been demonstrated with the enactment of the federal Mandatory Livestock Price Reporting Act of 1999. While enactment of this law at the federal level had been advocated for many years by various segments of the livestock industry, this critical market reform was accomplished when Congress responded to several states enacting livestock reporting at the state level. The purpose of this resolution is to examine creating a compact or agreement among agricultural states to fund a state agricultural legislative clearinghouse among member states to create a library of common or innovative state laws and legislative objectives with respect to agriculture in order to better coordinate state efforts to influence federal policy and to coordinate state policies. The goal of the compact would be to compile and categorize state laws on various agriculturally-related subjects, to analyze trends in agriculture, and to recommend collective actions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 458. Introduced by Dierks, 40.

PURPOSE: Mergers, alliances, and various other arrangements are reducing the number of players in agricultural input supply, particularly in seeds, and increasing the level of concentration. But increasing levels of concentration among firms which had formerly been competitors does not tell the entire story. The revolution in ownership of germ plasm, the feature of cells that determines the characteristics of offspring, also is moving rapidly toward concentration in a few, economically powerful players. For decades, land grant universities developed the basic genetic lines and made those lines available to the seed industry. Because of limitations on university funding and the near-revolution in genetic engineering, the private sector has emerged as a dominate figure in developing basic research. A landmark U.S. Supreme Court decision in 1980 allowing life forms to be patented and the Bayh-Dole Act of 1980 which dramatically changed the rules for patenting and licensure of discoveries arising from federally-funded research have created incentives to privatize the benefits of genetic research and genetic engineering.

The purpose of this resolution is to carry forth a recommendation of the Agricultural Structure Task Force to study the implications of recent trends, and the adequacy of Nebraska law for retaining some life forms, including germ plasm, in the public domain. The study shall specifically examine the forms of and prevalence of genetic and biotechnology research collaboration with the private sector at the University of Nebraska, policies and procedures followed by the university for the patenting and licensure of important research discoveries, the adequacy of public funding for basic genetic and biotechnology research, and whether recent developments in agricultural research are consistent with the university's land grant mission.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 459. Introduced by Dierks, 40.

PURPOSE: LB 835, enacted in 1999, created the Competitive Livestock Markets Act. One of the elements of the act was a provision to protect swine producers from price discrimination by prohibiting packers from paying different prices to sellers of swine not based on differences in carcass merit or acquisition and transportation costs. Operability of this portion of the Competitive Livestock Markets Act has been indirectly preempted by federal price reporting legislation. Similar provisions in the states of South Dakota and Missouri have been struck down in federal district court decisions as an unreasonable burden on interstate commerce. The purpose of this study is to examine the desirability of retaining some manner of price discrimination protection for Nebraska producers and the form such protection should take to avoid Commerce Clause or other constitutional shortcomings. The study may include examination of enactment of a version of the Packers and Stockyards Act prohibition against any undue or unreasonable preference or advantage to any particular person or locality or any undue or unreasonable prejudice or disadvantage.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 460. Introduced by Dierks, 40.

PURPOSE: To examine opportunities for producers and processors to collaborate in bringing greater value to agricultural production and enhancing farm income. The study shall examine formation of producer cooperatives, potential for greater levels of producer ownership in processing segments of the food chain, and other arrangements which the state may potentially encourage and develop to realize innovative marketing strategies enabling producers to share a greater portion of the consumer food dollar.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 461. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the recodification of the statutes relating to the Public Service Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 462. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the frequency of reissuance of license plates in Nebraska, the use of one license plate on Nebraska vehicles, and the use of specialty and personalized license plates in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 463. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the theft of telecommunications services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 464. Introduced by Bromm, 23.

PURPOSE: To study the public policy and practical implications of authorizing the state to enforce child care expenses under child support orders.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 465. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the funding of railroad crossing safety improvement projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE

NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 466. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the liability and legal obligations for railroad crossing safety.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 467. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the implementation of increasing the application fees and hearing fees charged by the Public Service Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 468. Introduced by Bromm, 23.

PURPOSE: The purpose of this resolution is to study the issues surrounding the recruitment and retention of carrier enforcement officers.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the

purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 469. Introduced by Brashear, 4; Chambers, 11.

PURPOSE: To conduct a study of the policies and procedures, including the adoption, implementation, operation, effectiveness, and fairness thereof, of the Department of Correctional Services. Following the study, recommendations should be made, if necessary, to address any problems with the current system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 470. Introduced by Jensen, 20.

PURPOSE: The purpose of this study is to examine issues raised by the introduction of LB 1095 (2000) and LB 1195 (2000), the repeal of state statutes relating to the certificate of need program, the growing number of health care facilities that are providing outpatient surgical and other health care services, and the need for adequate information relating to the provision of such services in order to appropriately assess their effect on health care access, cost, and quality in the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 471. Introduced by Health and Human Services Committee: Jensen, 20, Chairperson; Byars, 30; Dickey, 18; Price, 26; Suttle, 10; Thompson, 14; Tyson, 19.

PURPOSE: The purpose of this study is to examine health and human services issues. Such issues shall include, but not be limited to, the Nebraska Health Care Funding Act, the Nebraska Mental Health Commitment Act, mental health services, the role and mission of the regional centers, assertive community treatment, implementation of the federal Ticket to Work and Work Incentives Act, early childhood care and education, child support enforcement, implementation of the State Disbursement Unit, welfare reform, TANF funding, marriage and family, teenage pregnancy, placement and care of state wards, juvenile justice, developmental disabilities services, licensing of health care professionals and facilities, health insurance, prescription drugs, rural health, minority health, health care quality, health care availability and affordability, availability of health care providers, public health development, implementation of the Public Health Improvement Plan, tobacco control and cessation, health and human services funding, health and human services statutes, and the Nebraska Health and Human Services System.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 472. Introduced by Jensen, 20.

PURPOSE: The purpose of this resolution is to study the effect of obesity on costly health complications in both adults and children. Components of this study may include, but not be limited to: (1) Examination of the causal relationship which exists between obesity and a number of serious medical disorders, including hypertension, dyslipidemia, cardiovascular disease, diabetes (type two), gallbladder disease, respiratory dysfunction, gout, and osteoarthritis; (2) review of the direct costs of obesity-related diseases in Nebraska and whether there is a significant potential for reduction in health care expenditures through obesity prevention efforts; (3) consideration of efforts which may be undertaken to promote and maintain an obesity awareness prevention and education program to increase public awareness of the causes of obesity, the value of early identification of risk factors, and options for prevention and treatment of obesity; and (4) analysis of the effect that obesity in children has on overall health in children, health care costs for children, and a review of treatment modalities to address the problem of obesity in children.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of

this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 473. Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39; Robak, 22; Thompson, 14.

PURPOSE: To examine the issues associated with providing a state-of-the-art driver's license and identification card system utilizing digital technology security features in Nebraska.

LB 704 was enacted in 1999. Among other things, LB 704 provided for the implementation of an interactive driver's license application process, the issuance of a driver's license in any county, and the centralization of out-of-state driver's license renewal with the Department of Motor Vehicles. The programming for the interactive driver's license application process is underway and is the essential foundation for the promotion of a technologically advanced driver's license and identification card system.

This study should include the following elements:

(1) Review of the transitional procedures and statutory changes necessary to convert from the current photograph-style license and identification card to the digital format license and identification card;

(2) Examination of the available security features, including capture and storage of a digital image, capture and storage of a digitized signature, and creation of a tamper-proof driver's license and identification card through the use of holograms, biometrics, security threads, or encrypted or unique algorithmic numbers within a two-dimensional bar code or magnetic strip;

(3) Determination of the impact of digital technology security features on the issuance of fraudulent drivers' licenses and identification cards, identity theft, validation of identity at issuance or replacement of a driver's license and identification card, prevention of underage drinking, and underage purchase of tobacco products;

(4) Examination of the cost and the factors that determine the cost of implementation of digital imaging for drivers' licenses and identification cards, including over-the-counter issuance, central issuance, or a combination of over-the-counter and central issuance;

(5) Review of customer service issues related to digital imaging, including the impact of a change in technology on the issuance of licenses and cards and the renewal of licenses and cards from a central location;

(6) Review of potential benefits to public and private sector entities; and

(7) Review of the feasibility of the continuation of a photograph-style driver's license and identification card.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the

Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the Transportation and Telecommunications Committee shall invite individuals, representatives of the Department of Motor Vehicles, the Department of Roads, and other interested states agencies, all interested members of the Legislature, and members of the public to participate and assist the committee in its study.

3. That the committee shall upon the conclusion of its study make a written report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 474. Introduced by Stuhr, 24.

PURPOSE: The purpose of this study is to examine state policies relating to career preparation and technical education programs in Nebraska. This shall include, but not be limited to, the following issues:

(1) The purpose, role, and mission of career preparation and technical education programs;

(2) The prevalence of and need for career preparation and technical education programs at both the middle school and high school levels;

(3) The funding for career preparation and technical education programs, curriculum, and equipment at both the middle school and high school levels;

(4) The availability of teachers of career preparation and technical education and the status of career preparation and technical teacher education programs;

(5) The need for career preparation and technical education articulation programs in high schools and postsecondary educational institutions; and

(6) The feasibility of operating different delivery systems for career preparation and technical education programs, including a career preparation and technical high school or schools.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study, and shall coordinate its study efforts with the State Department of Education, to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 475. Introduced by Stuhr, 24.

PURPOSE: The purpose of this study is to examine the Farm Labor Contractors Act and the state policies relating to farm labor contracts including, but not limited to:

(1) The fees associated with obtaining a license under the act, including

how the fees are used and if the amount is proportionate to the expenditures of enforcing the act; and

(2) The requirements to qualify for an exemption under the act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

STANDING COMMITTEE REPORT
Government, Military and Veterans Affairs

LEGISLATIVE BILL 803. Placed on General File as amended.
(Standing Committee amendment, AM2970, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) DiAnna R. Schimek, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 968, 968A, 1213, 1363, and 1363A.

Enrollment and Review Change to LB 968

The following changes, required to be reported for publication in the Journal, have been made:
ER9146

1. Changes have been made as necessary to incorporate all adopted amendments.

2. On page 1, the matter beginning with "revenue" in line 1 through line 12 and all amendments thereto have been struck and "government; to amend sections 10-126, 13-502, 18-2601 to 18-2603, 18-2606 to 18-2608, 23-355.01, 57-239, 60-106, 76-214, 77-115, 77-609, 77-1210, 77-1331, 77-1332, 77-1343, 77-1346 to 77-1348, 77-1371, 77-1704, 77-1705, 77-1721, 77-1738, 77-1739, 77-1801, 77-1862, 77-4105, 79-1081, 79-1082, 84-304, and 84-1411, Reissue Revised Statutes of Nebraska, sections 30-2467, 30-2469, 77-112, 77-202.02, 77-202.04, 77-202.05, 77-3,119, 77-623, 77-801, 77-801.01, 77-802.01, 77-802.02, 77-1229, 77-1249, 77-1344, 77-1345, 77-1381, 77-1716, 77-1717, 77-1718, 77-5009, and

77-5023, Revised Statutes Supplement, 1998, sections 13-501, 13-503, 13-504, 23-3202, 35-1303, 51-805, 77-101, 77-202.01, 77-202.03, 77-202.11, 77-202.12, 77-421, 77-684, 77-1233.04, 77-1504.01, 77-1514, 77-1701, 77-27,139.03, 77-5016, 77-5019, 79-1016, and 79-1072.04, Revised Statutes Supplement, 1999, section 77-1361, Revised Statutes Supplement, 1998, as amended by section 2, Legislative Bill 419, Ninety-sixth Legislature, Second Session, 2000, and Laws 1999, LB 271, section 10; to change provisions relating to political subdivision bonds and budgets, county assessors, estate filings, real estate transfer statements, tax levies, tax valuation, tax assessment, tax exemptions, payment and collection of taxes, state aid to municipalities, joint public agencies, the Tax Equalization and Review Commission, school finance, and duties of the Auditor of Public Accounts; to transfer certain duties to the Property Tax Administrator; to change the operative date of changes made by Laws 1999, LB 271; to eliminate definitions and budget and tax appraisal and collection provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 13-515, 77-110, 77-210, 77-1213, and 77-1333, Reissue Revised Statutes of Nebraska, and section 77-398, Revised Statutes Supplement, 1998; and to declare an emergency." inserted.

Enrollment and Review Change to LB 1363

The following changes, required to be reported for publication in the Journal, have been made:
ER9145

1. On page 1, the matter beginning with "immigrant" in line 1 through line 2 and all amendments thereto have been struck and "labor; to create the Task Force on the Productive Integration of the Immigrant Workforce Population; to provide for a Meatpacking Industry Worker Rights Coordinator; to provide powers and duties; to create a fund; and to provide a termination date." inserted.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 812. Senator Beutler offered the following amendment:
AM3089

1. Insert the following new section:
"Section 1. Every parent and grandparent shall convey with love to every child and grandchild, at every teachable moment, the joy and power of learning.".
2. Renumber the remaining sections accordingly.

Senator Beutler withdrew his amendment.

Senator Beutler offered the following amendment:
AM3092

1. Strike original sections 7 and 11 and all amendments thereto and insert the following new section:

"Section 1. (1) Beginning with the 2000-01 school year, the State Department of Education shall implement a student assessment program under which the department shall administer statewide assessments adopted by the State Board of Education to all public school students in the areas of reading, writing, science, mathematics, social studies, and history according to an implementation schedule to be determined by the state board.

(2) The department shall maintain the results of the assessments administered under this section and shall consider the results as accreditation indicators. The assessment shall measure the performance of students against the state model academic content standards and shall be given to students in the same three selected grade levels each year. The assessment shall include one statewide test customized to align with the state model academic content standards. The state board shall adopt special criteria for students with disabilities, students entering the school for the first time, and students with limited English proficiency. The assessment and all reporting relating to the assessment shall protect the confidentiality of individual students. All school districts shall participate in the assessment and provide any assistance requested by the department.

(3) The department shall prepare an annual report of the results of the assessments to the Education Committee of the Legislature and the Governor. The report shall also be made available upon request to members of the public. In the report, the department shall present the percentage of students achieving each of the performance levels specified by the state board, calculated for the state as a whole, for each school district, and by school building. The report shall show how well public schools are performing in terms of the learning of public school students related to the state model academic content standards and shall provide for a comparison of public schools to their peers and to school districts in other states.

(4) The department shall adopt and promulgate rules and regulations to carry out this section.".

2. Renumber the remaining sections accordingly.

Senator Hudkins asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senator Kremer asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 812A. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

RESOLUTIONS

LEGISLATIVE RESOLUTION 476. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

PURPOSE: To study the federal Workforce Investment Act which will replace the Job Training Partnership Act on July 1, 2000. The study will address how legislation should be drafted so that Nebraska may comply with the federal law as well as state constitutional law.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 477. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

PURPOSE: To study the concept of drug-free workplace legislation in Nebraska for the purpose of a workers' compensation insurance premium reduction for those companies that maintain a drug-free workplace program in compliance with such statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 478. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

PURPOSE: To study the issue of genetic discrimination. The study will examine, but not be limited to, the following issues: (1) Whether protection from job discrimination, due to genetic pre-disposition, is a disability issue; and (2) privacy concerns related to genetic testing.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 479. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

PURPOSE: To study the workers' compensation and unemployment compensation laws of Nebraska. The study will consider, but not be limited to, the following:

(1) Consideration of issues of fraud by the employee or employer and whether sufficient sanctions exist to deter fraud;

(2) Consideration of legal costs associated with the appeals process for employers in the Workers' Compensation Court; and

(3) Consideration of the standards used for determining loss of earning capacity.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 480. Introduced by Business and Labor Committee: Vrtiska, 1, Chairperson; Dierks, 40; Hilgert, 7; Preister, 5; Redfield, 12; Schimek, 27.

PURPOSE: The purpose of this study is to examine certain aspects of the Nebraska workers' compensation system to determine if modifications are needed. The study will focus on three areas of the Nebraska Workers' Compensation Act: (1) Whether and under what circumstances employers who have secured the payment of compensation under the act but who are not approved self-insurers for workers' compensation purposes should be allowed to directly pay for medical services under section 48-120; (2) whether changes should be made to the medical deductible provisions of section 48-146.03; and (3) whether changes should be made to the definition of medical treatment under section 48-144.01 with respect to reportable injuries.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 481. Introduced by Crosby, 29.

PURPOSE: The purpose of this interim study is to explore joint custody options, both physical (shared) and legal and to compare the joint custody outcomes to those of sole custody. This study shall include, but not be limited to:

(1) The effect on children mentally, physically, and behaviorally;

(2) The effect on child support payments;

(3) The effect on the relationship between the parents;

(4) Whether current law allows significant parental involvement by both parents;

(5) An overview of the outcomes of other states who have enacted a presumption of joint custody;

(6) The effect of ordering joint custody, physical or legal, on the child without the consent of both parents;

(7) The rates of involvement with regard to active parenting;

(8) How arguments between parents are worked out in joint legal custody situations versus sole custody awards;

(9) The effect of joint custody on families receiving welfare;

(10) Other socio-economic consequences to children and their parents when joint custody is awarded as compared to sole custody; and

(11) Recommendations on any appropriate statutory changes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 482. Introduced by Landis, 46.

WHEREAS, American Mothers was organized sixty years ago to preserve and strengthen the American family and home; and

WHEREAS, Congress has authorized American Mothers, Inc., to choose the National Mother of the Year in honor of the role that mothers play in the lives of their families, their communities, and the world; and

WHEREAS, Nebraska has had an unprecedented six mothers honored as National Mother of the Year; and

WHEREAS, Jacqueline "Jac" Spahn of Lincoln, NE, a devoted mother and wife, has established a solid family foundation built on love and understanding and has been selected as the Nebraska Mothers Association's Young Mother Representative for 2000.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and commends Jac Spahn and the Nebraska Mothers Association for their work and devotion to the qualities and values which underlie family life. Together they reflect the purpose of American Mothers: To strengthen the moral and spiritual foundations of the family and home.

2. That a copy of this resolution be sent to Jacqueline Spahn and to the Nebraska Mothers Association.

Laid over.

LEGISLATIVE RESOLUTION 483. Introduced by Landis, 46.

PURPOSE: The purpose of this resolution is to study the impact of the enactment of S. 900, commonly known as the "Gramm-Leach-Bliley Financial Services Modernization Act", on the regulation of financial services by the State of Nebraska, including such regulation as it relates to consumer privacy protection.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 484. Introduced by Hartnett, 45.

PURPOSE: To examine natural gas service in Nebraska municipalities. Specifically, this study shall:

(1) Determine which cities and villages in Nebraska do not currently have access to natural gas service;

(2) Determine why such service is not being provided;

(3) Determine what barriers exist to providing such service; and

(4) Analyze the existing situation to determine (a) if there is an appropriate role for the state in removing existing barriers to such service or in helping such municipalities to obtain such service and (b) what state resources may be available to assist in this process.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 485. Introduced by Hartnett, 45.

PURPOSE: Over the course of the past several legislative sessions, the Urban Affairs Committee has been called upon to review several legislative proposals dealing broadly with the structure of local municipal government: The roles of the mayor and city council, the duties and functions of the various municipal officers, the powers granted to the city administrator, the distinctions between classes of municipalities and the powers granted to them, and the desirability of crafting a meaningful constitutional amendment to define the powers of a municipality in adopting or amending a home rule charter.

While this list is not comprehensive, it summarizes some of the key issues in local municipal government operation which have not been addressed in any structured, cohesive, or comprehensive manner for several decades.

The purpose of this study will be to review the existing statutes governing the structure and operations of the various classes of municipalities (as opposed to the forms of power or authority granted to them) to identify key issues and problems and determine (1) if significant structural revisions are appropriate and (2) if appropriate, what form such revisions should take.

The study may involve the survey of municipal officials on the subjects of the study or the creation of a representative working group or groups of such officials to advance the purposes of this study.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Urban Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 1010. Title read. Considered.

The Standing Committee amendment, AM2876, found on page 1164, was considered.

Senators Wickersham and Baker offered the following amendment to the Standing Committee amendment:
AM3105

(Amendments to Standing Committee amendments, AM2876)

1. On page 1, strike beginning with "determines" in line 9 through the second "different" in line 12 and insert "establishes a higher value pursuant to section 72-257 or 72-258, in which case that"; and in line 13 after "value" insert "for sale purposes".
2. On page 2, line 22, strike "representative", show as stricken, and insert "certified general real estate appraiser".

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Preister asked unanimous consent to be excused. No objections. So ordered.

Pending.

EASE

The Legislature was at ease from 5:47 p.m. until 6:11 p.m.

SENATOR CUDABACK PRESIDING

GENERAL FILE

LEGISLATIVE BILL 1010. The Wickersham-Baker pending amendment, AM3105, found in this day's Journal, to the Standing Committee amendment, was renewed.

PRESIDENT MAURSTAD PRESIDING

Senator Bromm moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

The Wickersham-Baker amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Pending.

RESOLUTIONS

LEGISLATIVE RESOLUTION 486. Introduced by Schimek, 27.

PURPOSE: Volunteer emergency medical response personnel and volunteer firefighters provide a valuable service to our state. Their dedication and sacrifice provide life-saving assistance to many communities and individuals. The people who volunteer their time are finding it more difficult to provide these services due to costs of education and time away from the workplace. Employers also shoulder a cost when the employees are absent from the workplace.

Smaller communities across Nebraska are having a hard time providing the services staffed by these volunteers. Communities are facing the tough decisions to reduce services due to lack of qualified personnel to fill these positions.

The state must try to ensure that emergency medical technicians and volunteer firefighters are given the support they need in order to continue. The safety and well-being of the citizens of this state, the plight of communities facing the loss or reduction of these services, and the employer of the volunteers shall be taken into consideration.

An interim study shall be conducted and shall include, but not be limited to:

(1) An inquiry into the amount of personal monetary contributions that are made by volunteer emergency medical response personnel and volunteer firefighters to our communities;

(2) An inquiry into the cost to employers when employees receive time off to attend emergency medical response and firefighting training sessions and when on emergency calls;

(3) A review of the number of emergency medical and fire calls received and responded to by volunteer emergency medical response personnel and volunteer firefighters; and

(4) An inquiry into the difficulty in finding personnel to volunteer their time as volunteer emergency medical response personnel and volunteer firefighters.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Business and Labor Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature by December 1, 2000.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 487. Introduced by Smith, 48; Connealy, 16; Stuhr, 24; Kremer, 34; Baker, 44; Wickersham, 49; Matzke, 47; Price, 26.

PURPOSE: The University of Nebraska Institute of Agriculture and Natural Resources (IANR) was established by the Legislature in 1973. The institute provides education, research, and service programs relating to food, agriculture, agribusiness, natural resources, and human resources. Among the specialized centers and units under the auspices of the institute are the Agriculture Research and Development Center in Mead, the Biological Chemistry Center, the Biotechnology Center, the Center for Grassland studies, the Communications and Information Technology Unit, the Food Processing Center, the 4-H Development Unit, the Great Plains Regional Center for Global Environmental Change, the Industrial Agricultural Products Center, the Leadership Development Center, the Nebraska Forest Services, the Nebraska Industrial Competitive Server, the Nebraska Statewide Arboretum, the Rural Community Revitalization and Development Center, the Sustainable Agricultural Systems Center, and the Water Center and Environmental Programs. While the administrative headquarters are located at the University of Nebraska-Lincoln (UNL), faculty of the institute are not only located on the UNL campus but also at Research and Extension Centers in Clay Center, Concord, Lincoln, North Platte, and Scottsbluff, at the Nebraska College of Technical Agriculture in Curtis, at university-affiliated sites in Grand Island, Norfolk, and Omaha, and in most of Nebraska's ninety-three counties. The purpose of this interim study is to examine:

(1) The priorities of the University of Nebraska for the IANR relating to the university's commitment to, and current and future funding for, the IANR; and

(2) The commitment of the University of Nebraska-Lincoln campus to enhancing the IANR's purpose of maintaining the mission of a land grant university and meeting the needs of Nebraska's agricultural and natural resources across the state through extension services, research, and education.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Education Committee and Agriculture Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.
2. That the committees shall upon the conclusion of their study make a report of their findings, together with any recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

AMENDMENT - Print in Journal

Senator Hartnett filed the following amendment to LB 1115:
AM3054

(Amendments to E & R amendments, AM7246)

1. Insert the following new section:

"Sec. 15. Section 71-1,107.16, Revised Statutes Supplement, 1999, is amended to read:

71-1,107.16. For purposes of sections 71-1,107.15 to 71-1,107.30, unless the context otherwise requires:

(1) Approved program ~~shall~~ ~~mean~~ means a program for the education of physician assistants which the board formally approves;

(2) Board ~~shall~~ ~~mean~~ means the Board of Medicine and Surgery;

(3) Department ~~shall~~ ~~mean~~ means the Department of Health and Human Services Regulation and Licensure;

(4) Physician assistant ~~shall~~ ~~mean~~ means any person who graduates from a program approved by the Commission on Accreditation of Allied Health Education Programs or its predecessor or successor agency and the board, who satisfactorily completes a proficiency examination, and whom the board, with the concurrence of the department, approves to perform medical services under the supervision of a physician or group of physicians approved by the board to supervise such assistant;

(5) Supervision ~~shall~~ ~~mean~~ means the ready availability of the supervising physician for consultation and direction of the activities of the physician assistant. Contact with the supervising physician by telecommunication shall be sufficient to show ready availability if the board finds that such contact is sufficient to provide quality medical care. The level of supervision may vary by geographic location as provided in section 71-1,107.17;

(6) Trainee ~~shall~~ ~~mean~~ means any person who is currently enrolled in an approved program;

(7) Proficiency examination ~~shall~~ ~~mean~~ means the initial proficiency examination approved by the board for the licensure of physician assistants, including, but not limited to, the examination administered by the National Commission on Certification of Physician Assistants or other national organization established for such purpose that is recognized by the board;

(8) Supervising physician ~~shall~~ ~~mean~~ means a (a) board-approved physician who utilizes an approved physician assistant or (b) backup physician;

(9) Backup physician ~~shall~~ ~~mean~~ means a physician designated by the supervising physician to ensure supervision of the physician assistant in the supervising physician's absence. A backup physician shall be subject to the same requirements imposed upon the supervising physician when the backup physician is acting as a supervising physician; and

(10) Committee ~~shall~~ ~~mean~~ means the Physician Assistant Committee created in section 71-1,107.25.".

2. On page 115, line 19, after the last comma insert "71-1,107.16,".

3. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 1010. Senator Chambers offered the following amendment to the Standing Committee amendment:
FA347
Amend AM3105
P. 1, line 4, strike "sale purposes" and insert "purposes of sale."

Senators Bohlke, Price, Suttle, and Thompson asked unanimous consent to be excused. No objections. So ordered.

Senator Jones moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

The Chambers amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 3 nays, 13 present and not voting, and 7 excused and not voting.

Senator Beutler asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 26:

Aguilar
Baker
Bourne
Brashear
Bromm
Bruning
Byars
Coordsen
Dickey
Engel
Hilgert
Janssen
Jones
Kremer
Matzke
Pedersen, Dw.
Quandahl
Raikes
Redfield
Schmitt
Schrock
Smith
Stuhr
Tyson
Wehrbein
Wickersham

Voting in the negative, 10:

Chambers
Connealy
Crosby
Cudaback
Dierks
Hartnett
Kristensen
Robak
Schimek
Vrtiska

Present and not voting, 5:

Brown
Jensen
Kiel
Lynch
Pederson, D.

Excused and not voting, 8:

Beutler
Bohlke
Hudkins
Landis
Preister
Price
Suttle
Thompson

Advanced to E & R for review with 26 ayes, 10 nays, 5 present and not voting, and 8 excused and not voting.

AMENDMENTS - Print in Journal

Senator Beutler filed the following amendment to LB 1405:
AM3093

1. Strike the original sections and insert the following new sections:

"Section 1. It is unlawful for any person to knowingly acquire, receive, or otherwise transfer any human fetal tissue for valuable consideration.

Sec. 2. For purposes of this act:

(1) Human fetal tissue means tissue or cells obtained from a dead human embryo or fetus after a spontaneous or induced abortion or after a stillbirth; and

(2) Valuable consideration does not include reasonable payments associated with the transportation, implantation, processing, preservation, quality control, or storage of human fetal tissue.

Sec. 3. It is unlawful for any person to solicit or knowingly acquire, receive, or accept a donation of human fetal tissue for purposes of transplantation of such tissue into another person, if the tissue will be or is obtained pursuant to an induced abortion and:

(1) The donated human fetal tissue will be or is made pursuant to a promise to the donating individual that the donated human fetal tissue will be transplanted into a recipient specified by such individual;

(2) The donated human fetal tissue will be transplanted into a relative of the donating individual; or

(3) The person who solicits or knowingly acquires, receives, or accepts the donated human fetal tissue has provided valuable consideration for the costs associated with such abortion.

Sec. 4. Any person who violates sections 1 to 3 of this act is guilty of a Class IV felony.".

Senator Brashear filed the following amendments to LB 1405:

(1)

AM3106

(Amendments to AM2891)

1. Strike amendment 1 and insert the following new amendments:

"1. Strike section 4 and insert the following new section:

'Sec. 6. Any medical professional who prescribes a drug or therapy or requests performance of a diagnostic procedure, which drug, therapy, or diagnostic procedure was derived from aborted fetal tissue or research using aborted fetal tissue, shall disclose to the patient the origin of the drug, therapy, or diagnostic procedure.'.

2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(2)

AM3107

(Amendments to AM2939)

1. On page 1, line 1, strike "6" and insert "4".

2. Insert the following amendments:

"2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(3)

AM3108

(Amendments to AM2940)

1. On page 1, line 1, strike "5" and insert "4".

2. Strike amendment 2 and insert the following new amendments:

"2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(4)

AM3109

(Amendments to AM2938)

1. Strike amendment 1 and insert the following new amendments:

"1. Strike section 4.

2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(5)

AM3110

(Amendments to AM2941)

1. Strike amendment 1 and insert the following new amendments:

"1. Strike section 4.

2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(6)

AM3111

(Amendments to AM3093)

1. Strike amendment 1 and insert the following new amendments:

"1. Strike section 4.

2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert 'derived from state'.

3. On page 3, line 9, strike 'or 4'; and strike beginning with 'If' in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.".

(7)

AM3112

1. Strike section 4.

2. On page 2, strike beginning with the comma in line 26 through the third comma in line 27 and insert "derived from state".

3. On page 3, line 9, strike "or 4"; and strike beginning with "If" in line 12 through the period in line 19.

4. Renumber the remaining sections and correct internal references accordingly.

Senator Chambers filed the following amendment to LB 1101:

AM3114

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 81-2210, Reissue Revised Statutes of Nebraska, is amended to read:

81-2210. Community aging services ~~shall mean~~ means those activities and services which fulfill the goals of the Nebraska Community Aging Services Act, which are necessary to promote, restore, or support self-sufficiency and independence for older ~~individuals~~ persons, and which include: (1) Congregate ~~(1)~~ ~~congregate~~ activities, including, but not limited to, senior centers, group meals, volunteerism, adult day ~~care~~ services, and recreation; ~~,~~ and (2) individual services, including, but not ~~which may include, but shall not be~~ limited to, specialized transportation, meals-on-wheels, home handyman services, home health care services, legal services, ~~and~~ counseling related to problems of aging or encouraging access to aging services, and senior companion volunteer services.

Sec. 2. Sections 2 to 12 of this act shall be known and may be cited as the Nebraska Senior Companion Volunteer Program Act.

Sec. 3. The purpose of the Nebraska Senior Companion Volunteer Program Act is to provide volunteer community service opportunities to low-income older persons for the benefit of frail elderly persons with special needs.

Sec. 4. For purposes of the Nebraska Senior Companion Volunteer Program Act:

(1) Department means the Department of Health and Human Services;

(2) Direct service contractor means any public or private nonprofit organization that (a) is not currently receiving federal funding for the federal senior companion program and (b) demonstrates the ability to provide the services specified in section 6 of this act;

(3) Frail elderly means a person who (a) is sixty years of age or older, (b) has a physical, mental, or emotional health limitation, and (c) needs assistance to achieve and maintain independent living; and

(4) Senior companion volunteer means an individual who (a) is sixty years of age or older, (b) has an annual income not exceeding one hundred twenty-five percent of the federal poverty level, (c) is determined by a physical examination to be capable, with or without reasonable accommodation, of serving adults with special needs without detriment to himself or herself or the persons served, and (d) provides services at least four hours a day, four days a week.

Sec. 5. The department shall establish and coordinate the Nebraska Senior Companion Volunteer Program and shall utilize senior companion volunteers provided by one or more direct service contractors.

Sec. 6. A direct service contractor:

(1) May apply to the department for a grant pursuant to section 10 of this act;

(2) Shall recruit, select, train, and assign staff and senior companion volunteers;

(3) Shall provide for supervision of volunteers;

(4) Shall provide or arrange for meals and transportation for senior companion volunteers if funds are available; and

(5) Shall maintain a systematic means of capturing and reporting all program data required by the department.

Sec. 7. The Nebraska Senior Companion Volunteer Program shall provide companion services to the frail elderly who (1) are bedfast or too frail or too ill to be transported to special programs, (2) have withdrawn from all social interaction or are confined due to psychological problems, or (3) desire but are unable to participate in adult day services programs because openings are unavailable.

Sec. 8. Senior companion volunteers providing companion services pursuant to the Nebraska Senior Companion Volunteer Program Act shall receive (1) transportation expenses for transportation to and from their residences and the place where services are to be rendered, (2) one free meal when reasonably available during each day that services are rendered, and (3)(a) accident and liability insurance, (b) an annual physical examination, and (c) a nontaxable hourly stipend of two dollars and fifty-five cents per hour.

Sec. 9. Senior companion volunteers shall not be assigned to individuals already receiving in-home supportive services through the department or another entity of state or local government.

Sec. 10. (1) The department shall make grants in an amount not to exceed fifty thousand dollars to direct service contractors and shall give preference to applications for grants to provide in-home services.

(2) Applications shall be made on forms provided by the department.

(3) No grant shall be approved for any applicant who has received federal funding to provide services under any federal senior companion volunteer program.

(4) As a condition to receiving a grant, an applicant shall obtain at least ten percent matching funds from a local governmental or other source.

(5) Grants shall be for a period of twenty-four months and shall not be used as matching funds but solely to carry out the requirements of the Nebraska Senior Companion Volunteer Program Act.

(6) No person paid from grant funds shall replace any staff member of the grantee.

Sec. 11. Each grantee shall file with the department a quarterly report of its activities on forms provided by the department.

Sec. 12. The department shall adopt and promulgate rules and regulations to carry out the Nebraska Senior Companion Volunteer Program Act.

Sec. 13. Original section 81-2210, Reissue Revised Statutes of Nebraska, is repealed.".

Senator Beutler filed the following amendment to LB 1234:
AM3104
(Amendments to Standing Committee amendments, AM2553)

1. Insert the following new sections:

"Sec. 5. The Legislature finds that (1) existing monitoring of ground water quality performed by natural resources districts is excellent and deserves recognition, (2) substantial efforts have been undertaken by the Department of Environmental Quality to monitor surface water quality, and (3) it is within the state's capacity to develop a comprehensive, integrated statewide water quality monitoring system.

Sec. 6. The Department of Environmental Quality shall conduct a comprehensive study of water quality monitoring in Nebraska pursuant to section 7 of this act. In preparing Phase I of the study, the department shall work with and consult an advisory committee consisting of a designee from each of the following: The American Consulting Engineers Council of Nebraska, the Department of Agriculture, the Nebraska Natural Resources Commission, the Department of Health and Human Services Regulation and Licensure, the Department of Water Resources, the League of Nebraska Municipalities, the Nebraska Association of Resource Districts, the Nebraska Game and Parks Commission, the United States Geological Survey, and the University of Nebraska. The advisory group for Phase II of the study shall include the members listed in this section for Phase I and be expanded to include all groups found by the Department of Environmental Quality to be significant stakeholders in the water quality area. Phase I of the study shall be presented to the Natural Resources Committee of the Legislature on or before December 1, 2000, and Phase II shall be presented to the committee on or before June 30, 2001.

Sec. 7. (1) The study required by section 6 of this act consist of two phases. Phase I of the study shall consist of an assessment of Nebraska's current water quality monitoring efforts and shall address, but not be limited to, the following:

(a) A detailed description of all current water quality monitoring efforts at the state and local levels, including scope, location, timing, procedure, number of personnel, state agency or local government involved, and funding;

(b) An analysis of current water quality monitoring efforts, indicating what the existing system does well and fails to do or does inadequately. The analysis shall address, but not be limited to, the following questions:

(i) Is the current number of monitoring sites sufficient to provide accurate information on water quality in all regions of the state;

(ii) Is the current frequency of monitoring efforts sufficient to provide an accurate measurement of changes in water quality over time;

(iii) Are the current methods of sample collection and analysis scientifically sound and is the collection of samples and subsequent testing conducted in a manner which reasonably assures accurate measurements;

(iv) Is the current reporting process timely and does it present information to policymakers in an understandable and usable form;

(v) Is the current coordination of monitoring efforts between the Department of Environmental Quality, natural resources districts, and county or local governments sufficient; and

(vi) Does the current system provide a mechanism insuring statewide or regional coordination of water quality monitoring efforts when desirable.

(2) Phase II of the study shall utilize the information gathered during Phase I and shall consist of a detailed description of the changes required in the current system to establish a comprehensive, integrated statewide water quality monitoring system, including preferred alternatives if multiple options exist. The proposed monitoring system shall include, but not be limited to, the following:

(a) Recommended monitoring site locations;

(b) A description of acceptable monitoring techniques;

(c) The institutional flexibility to allow contaminants to be monitored on a statewide or regional basis as needed;

(d) Procedures to determine when coordinated monitoring between state and local entities is needed and policies for directing such monitoring;

(e) Provisions for the development of long-term trend lines for problem contaminants, for the inclusion of new contaminants, and for elimination of contaminants no longer requiring monitoring;

(f) Mechanisms to determine the best locations to monitor water quality for different types of contaminants and how to define local or regional problem areas; and

(g) An estimate of funding necessary to implement the recommendations of the study.".

2. On page 2, line 17, strike "This act becomes" and insert "Sections 1 to 4 and 9 of this act become" and after the period insert "The other sections of this act become operative on their effective date.".

3. Renumber the remaining sections accordingly.

RESOLUTIONS

LEGISLATIVE RESOLUTION 488. Introduced by Schimek, 27.

PURPOSE: Currently, when some special-needs foster children are adopted, such children may need residential treatment care. Medicaid will cover the costs of hospitalization or residential treatment facilities. The problem arises when the child no longer needs as restrictive an environment as provided by a hospital or the residential treatment facility but the child is still not ready to return home. Group homes offer a less restrictive environment but are not covered by Medicaid. The cost of group homes fall to the adoptive parents.

If the child were still a state ward, the state would have the financial obligation to care for such child.

The Legislature shall conduct a costs-benefits analysis of extending subsidized adoption coverage to include less restrictive levels of care. The study shall include the possibility of establishing a pilot project and the associated costs for care for such children in less restrictive settings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature by December 1, 2000.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 489. Introduced by Kristensen, 37.

PURPOSE: The purpose of this interim study is to comply with legislative intent contained in Legislative Bill 1217, Ninety-sixth Legislature, Second Session, 2000, section 102, which requires a study of the recruitment, development, and retention of minority and women faculty members at the University of Nebraska. This study relates to provisions contained in Laws 1997, LB 389, section 156, requiring the University of Nebraska to be among the top fifty percent among the Board of Regents' peer institutions in the employment of women and minority faculty members by August 1, 2002.

Since passage of Laws 1997, LB 389, the University of Nebraska has issued three interim reports to the Legislature and the Director of Administrative Services reporting on its progress toward reaching this requirement. There are two more academic years prior to the target deadline of August 1, 2002. The interim study shall focus on the following:

(1) Progress made by the University in reaching the requirements contained in Laws 1997, LB 389, section 156;

(2) The feasibility of the University reaching the requirements within the currently prescribed timeframe;

(3) Issues that have an impact on the University's ability to reach the requirements; and

(4) What changes, if any, should be made to the requirements regarding the recruitment, development, and retention of minority and women faculty at the University of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That a committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITORS

Visitors to the Chamber were 18 fourth grade students and teacher from Stromsburg Public School; 50 fourth grade students and teachers from York Elementary School; 65 fourth grade students and teachers from Pershing Elmentary School, Lexington; and 16 Utilicorp Employees from across the state.

The Doctor of the Day was Dr. Bill Doering from Franklin.

ADJOURNMENT

At 8:03 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Tuesday, March 28, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

FIFTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 28, 2000

PRAYER

The prayer was offered by Pastor Carol Roettmer Brewer, Aldersgate United Methodist Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Kristensen presiding.

The roll was called and all members were present except Senators Kiel, D. Pederson, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fiftieth day was approved.

STANDING COMMITTEE REPORTS
Natural Resources

LEGISLATIVE BILL 390. Indefinitely postponed.
LEGISLATIVE BILL 459. Indefinitely postponed.
LEGISLATIVE BILL 521. Indefinitely postponed.
LEGISLATIVE BILL 732. Indefinitely postponed.
LEGISLATIVE BILL 785. Indefinitely postponed.
LEGISLATIVE BILL 808. Indefinitely postponed.
LEGISLATIVE BILL 980. Indefinitely postponed.
LEGISLATIVE BILL 1053. Indefinitely postponed.
LEGISLATIVE BILL 1152. Indefinitely postponed.
LEGISLATIVE BILL 1220. Indefinitely postponed.
LEGISLATIVE BILL 1286. Indefinitely postponed.
LEGISLATIVE BILL 1297. Indefinitely postponed.
LEGISLATIVE BILL 1355. Indefinitely postponed.
LEGISLATIVE BILL 1360. Indefinitely postponed.
LEGISLATIVE BILL 1377. Indefinitely postponed.

LEGISLATIVE BILL 1434. Indefinitely postponed.

(Signed) Edward J. Schrock, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1405. Title read. Considered.

Senator Chambers moved to bracket LB 1405 until April 12, 2000.

Senators Engel, Bruning, and Dierks asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers offered the following amendment to his pending motion to bracket:
FA348
Strike "April 12" and insert "April 11".

Pending.

RESOLUTION

Pursuant to Rule 4, Sec. 5(b), LR 332 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 332.

GENERAL FILE

LEGISLATIVE BILL 1405. Senator Hilgert requested to have the bill removed from the agenda.

AMENDMENTS - Print in Journal

Senator Janssen filed the following amendment to LB 973A:
AM3116

1. Insert the following new section:

"Sec. 2. There is hereby appropriated $41,325 from the General Fund for FY2000-01 to the Department of Revenue, for Program 102, to aid in carrying out the provisions of Legislative Bill 973, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

Senators Connealy, Wehrbein, Vrtiska, and Dierks filed the following amendment to LB 1348:

AM3131

(Amendments to E & R amendments, AM7233)

1. Strike sections 1 to 11 and all amendments thereto and insert the following sections:

"Section 1. Sections 1 to 12 of this act shall be known and may be cited as the Agricultural Opportunities and Value-Added Partnerships Act.

Sec. 2. (1) The Legislature finds that:

(a) There is a serious economic crisis in the agricultural and rural sectors of Nebraska's economy;

(b) There is a need in such sectors to develop strategies and programs to create genuine economic opportunities that enable people to improve their incomes, avoid poverty, build assets, and develop their capacity to contribute to the betterment of their communities;

(c) Strong communities enable local residents to be more self-sufficient, which contributes to the overall strength and well-being of Nebraska; and

(d) Adding value to agricultural products offers farmers and ranchers the potential to obtain a larger share of food dollars.

(2) The Legislature further finds that there is a need to:

(a) Support self-employment and small-scale entrepreneurship in both agricultural and nonagricultural activities;

(b) Enhance income and opportunities for farming and ranching operations to stem the decline in the number of such operations;

(c) Develop strategies and programs to increase the farming and ranching operations' share of the food system profit;

(d) Build the capacity of farming and ranching operations and small rural businesses to benefit from the development of electronic commerce; and

(e) Strengthen value-added enterprises by promoting strategic partnerships and networks through multi-group cooperation.

Sec. 3. For purposes of the Agricultural Opportunities and Value-Added Partnerships Act:

(1) Farming or ranching operation means the active use, management, and operation of real and personal property for the production of crops or raising of livestock;

(2) Project means any activity in the areas specified in section 7 of this act designed to promote the purposes specified in section 4 of this act. Project does not mean, and grant funds shall not be used for, any activity primarily designed to contribute to a single business, enterprise, or individual or designed to subsidize an existing farming or ranching operation; and

(3) Value-added means increasing the net worth of food or nonfood agricultural products by processing, alternative production and handling methods, collective marketing, or other innovative practices.

Sec. 4. The purposes of the Agricultural Opportunities and Value-Added Partnerships Act are to:

(1) Support small enterprise formation in the agricultural sector of Nebraska's rural economy, including innovative cooperative efforts for value-added enterprises;

(2) Support the development of agricultural communities and economic opportunity through innovative partnerships among farming and ranching operations, rural communities, and businesses for the development of value-added agriculture products;

(3) Encourage collaboration between farming and ranching operations and between farming and ranching operations and communities, government, and businesses as well as between communities and regions;

(4) Strengthen the value-added production industry by promoting strategic partnerships and networks through multi-group cooperation for the creation of employment opportunities in the value-added agriculture industry;

(5) Enhance the income and opportunity for farming and ranching operations in Nebraska and to stem the decline in their numbers;

(6) Increase the farming and ranching operations' share of the food system profit;

(7) Enhance the economic and social viability of rural communities in Nebraska that depend on agricultural production; and

(8) Enhance opportunities for farming and ranching operations to participate in electronic commerce and new and emerging markets that strengthen rural economic opportunities.

Sec. 5. (1) The Department of Agriculture, with assistance provided by the Department of Economic Development, shall establish and administer a competitive grant process to provide grants under the Agricultural Opportunities and Value-Added Partnerships Act. Grants may be made for up to seventy-five thousand dollars annually to eligible entities under section 6 of this act that directly address one or more of the purposes specified in section 4 of this act in the areas specified in section 7 of this act and which meet the requirements of this section and section 8 of this act.

(2) A minimum of twenty-five percent of the funds appropriated for the act shall be for grants for purposes specified in subdivisions (1) through (4) of section 4 of this act. A minimum of twenty-five percent of such funds shall be for grants for purposes specified in subdivisions (5) through (8) of section 4 of this act. The remaining funds may be used for grants for any purpose specified in section 4 of this act.

(3) Priority for the awarding of grants within the

parameters of this section shall be given to projects that make the greatest contribution in increasing the number and quality of self-employment opportunities for farming or ranching operations. The Department of Agriculture shall also award grants to pilot cooperative efforts for the promotion of value-added products. The department may recommend projects for recognition by the Governor.

(4) A recipient of a grant shall not receive more than one grant in any one calendar year for the same project.

(5) Grants shall be awarded on a one-year basis but may be renewed on an annual basis for no more than three years. The Department of Agriculture, with the necessary assistance provided by the Department of Economic Development, shall develop an annual performance review process and a program for grant renewal of approved projects determined to have continued necessary statewide application and success.

(6) Grant funds shall not be used to replace other funding for the administrative support of the recipient or the administrative support of the project or for administrative costs relating to the planning of the project or for any activity primarily designed to contribute to a single business, enterprise, or individual. Grant funds for a project may be awarded to a cooperative, group, association, or other entity if the entity is involved in an activity designed to promote the purposes specified in section 4 of this act.

Sec. 6. Eligible entities for grants under the Agricultural Opportunities and Value-Added Partnerships Act include communities, counties, agencies, educational institutions, economic development providers, nonprofit corporations, agricultural cooperatives, agricultural associations, agricultural marketing associations or entities, resource conservation organizations, development districts, and farming or ranching operations in collaborative arrangements with other operations, entities, or organizations that meet the purposes of section 4 of this act.

Sec. 7. (1) Grants under the Agricultural Opportunities and Value-Added Partnerships Act shall be used to support projects in the following areas:

(a) Research;

(b) Education and training;

(c) Market development;

(d) Nonadministrative business planning assistance, feasibility and market studies, capitalization plans, and technical assistance;

(e) Development of cooperatives;

(f) Community and multi-community initiatives;

(g) Creation, retention, and transfer of value-added agricultural business initiatives in rural communities;

(h) Efforts to obtain start-up or working capital or other capital expenditures necessary for the development of the project;

(i) Community-based, farmer-owned, or rancher-owned value-added initiatives; and

(j) Other activities that are deemed necessary to fulfill the purposes specified in section 4 of this act.

(2) Such projects shall demonstrate the ability to provide private new enterprise formation or expanded incomes and economic opportunities for existing enterprises.

Sec. 8. To be eligible for a grant under the Agricultural Opportunities and Value-Added Partnerships Act, an applicant shall:

(1) Document a matching amount in money or in-kind contributions or a combination of both equal to twenty-five percent of the grant funds requested;

(2) Specify measurable goals and expected outcomes for the project for which the grant funds are requested; and

(3) Specify an evaluation and impact assessment process or procedure for the project for which the grant funds are requested.

Sec. 9. The Department of Agriculture shall submit an annual report to the Governor and the Legislature on or before January 1 listing the recipients and grant amounts made under the Agricultural Opportunities and Value-Added partnerships Act in the previous year, the documented and measurable impacts of the grants, and an evaluation of the performance of the grant program based on the measurable goals and expected outcomes of the recipients of such grants. Copies of the program performance evaluation shall be made available through print and electronic media.

Sec. 10. The Department of Agriculture shall, with the necessary assistance provided by the Department of Economic Development, adopt and promulgate rules and regulations to carry out the Agricultural Opportunities and Value-Added Partnerships Act. The Department of Agriculture shall coordinate projects funded by grants under the act with other organizations or institutions working on similar projects in the state.

Sec. 11. The Agricultural Opportunities and Value-Added Partnerships Cash Fund is created. The fund shall be used by the Department of Agriculture for grants awarded pursuant to the Agricultural Opportunities and Value-Added Partnerships Act. Money credited to the fund shall include any monetary gifts, grants, donations, proceeds from contracts for services, and reimbursement of expenses. The department shall seek money from sources such as, but not limited to, federal funds, commodity checkoff funds, private donations, and private grants. All such funds shall be credited to the Agricultural Opportunities and Value-Added Partnerships Cash Fund. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act. No funds shall be received or accepted for the Agricultural Opportunities and Value-Added Partnerships

Cash Fund that are designated for the purpose or the benefit of a single business, enterprise, or individual.

Sec. 12. The Agricultural Opportunities and Value-Added Partnerships Act shall terminate on January 1, 2004.

Sec. 13. It is the intent of the Legislature to appropriate:

(1) One million dollars each year for three consecutive years to fund the Agricultural Opportunities and Value-Added Partnerships Act, making such grant funds available on and after January 1, 2001. The Department of Agriculture shall annually allocate (a) a minimum of two hundred fifty thousand dollars to grants that promote value-added purposes specified in subdivisions (1) through (4) of section 4 of this act, (b) a minimum of two hundred fifty thousand dollars to grants that promote the purposes specified in subdivisions (5) through (8) of section 4 of this act, and (c) the remaining funds for grants for any of the purposes specified in such section; and

(2) An additional two-hundred fifty thousand dollars each year for three consecutive years to the Microenterprise Partnership Program, making such funds available on and after the effective date of this act.".

2. Renumber the remaining sections accordingly.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1381A. Introduced by Beutler, 28.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, section 134; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1381, Ninety-sixth Legislature, Second Session, 2000; and to repeal the original section.

UNANIMOUS CONSENT - Add Cointroducers

Senators Hudkins, Coordsen, D. Pederson, Dierks, Quandahl, Byars, Schmitt, Dw. Pedersen, Jones, Bromm, Vrtiska, Bruning, and Robak asked unanimous consent to have their names added as cointroducers to LR 487. No objections. So ordered.

VISITORS

Visitors to the Chamber were 15 Junior Nursing students and instructor from Union College, Lincoln; 19 students and sponsors from Sidney High School; Vocational Industrial Club of America and instructor from McCook Chapter, McCook; 72 eighth grade students and teachers from Mary Our Queen School, Omaha; 75 representatives of the Councils of Catholic Women from across the state; and Senator Cudaback's mother, Lena

Cudaback, from Riverdale.

RECESS

At 11:50 a.m., on a motion by Senator Byars, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Kristensen presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke, Byars, Dickey, Dierks, Engel, Jensen, Kiel, Landis, Matzke, D. Pederson, Price, Robak, Suttle, Thompson, and Tyson who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1234. Title read. Considered.

Senator Chambers moved to bracket LB 1234 until April 10, 2000.

Senators Brashear and Cudaback asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Kremer moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Chambers withdrew his motion to bracket.

The Standing Committee amendment, AM2553, found on page 814, was considered.

Senator Schrock withdrew his amendment, AM2622, found on page 969.

Senator Stuhr renewed her pending amendment, AM2772, found on page 1014, to the Standing Committee amendment.

Senator Stuhr withdrew her amendment.

Senator Byars asked unanimous consent to be excused. No objections. So ordered.

Senator Connealy renewed his pending amendment, AM2762, found on page 1020, to the Standing Committee amendment.

Senators Coordsen, Landis, and Vrtiska asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR CUDABACK PRESIDING

Senator Wehrbein moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Chambers requested a record vote on the Connealy amendment.

Voting in the affirmative, 27:

Aguilar	Beutler	Bohlke	Bourne	Bromm
Brown	Bruning	Connealy	Crosby	Cudaback
Dickey	Dierks	Hilgert	Hudkins	Janssen
Kremer	Matzke	Pedersen, Dw.	Preister	Quandahl
Schimek	Schrock	Smith	Stuhr	Thompson
Tyson	Wehrbein			

Voting in the negative, 7:

Chambers	Jones	Price	Raikes	Redfield
Schmitt	Wickersham			

Present and not voting, 6:

Baker	Hartnett	Kiel	Kristensen	Lynch
Suttle				

Excused and not voting, 9:

Brashear	Byars	Coordsen	Engel	Jensen
Landis	Pederson, D.	Robak	Vrtiska	

The Connealy amendment was adopted with 27 ayes, 7 nays, 6 present and not voting, and 9 excused and not voting.

Pending.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 438 was referred to the Reference Committee.

AMENDMENTS - Print in Journal

Senator Coordsen filed the following amendments to LB 1021:

(1)

FA349
Amend AM2841
On page 9, line 16, after "food" insert "or beverage". Line 17, strike "." insert "or occasional provision of transportation within the State of Nebraska.".

(2)

FA350
Amend AM2841
On page 9 line 3, strike "fifty" reinstate "one hundred". Line 4, after first "the" insert "estimated". Line 6, strike "$50", insert "$100".

(3)

FA351
Amend AM2841
On page 5, line 19 after "who" insert "knowingly".

(4)

FA352
Amend AM2841
On page 4, line 25 strike "or"
Line 26, strike "gifts"
On page 5 line 10, strike "or gifts"
Line 15, strike "or gifts"

(5)

FA353
Amend AM2841
On page 4, lines 19 through 21, reinstate the stricken language.

Senator Landis filed the following amendment to LB 932:
(Amendment, AM3130, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

GENERAL FILE

LEGISLATIVE BILL 1234. Senator Jones withdrew his amendment, AM2765, found on page 1030.

Senator Preister asked unanimous consent to replace his pending amendment, AM2854, found on page 1070, with a substitute amendment. No objections. So ordered.

Senator Preister withdrew his amendment, AM2854, found on page 1070.

Senator Preister offered the following substitute amendment, to the Standing Committee amendment:
AM3136

(Amendments to AM2762)

1. Strike section 4 and insert the following new sections:

"Section 1. On or after the operative date of this section, a retailer shall not offer for sale in this state any petroleum product that contains more than one percent of methyl tertiary butyl ether (MTBE) by volume. For purposes of this section, retailer has the same definition as in section 66-482.

Sec. 6. Sections 2 to 4 of this act becomes operative on October 1, 2000. The other sections of this act become operative on their effective date.".

2. Renumber the remaining sections and correct internal references accordingly.

Senator Bourne asked unanimous consent to be excused. No objections. So ordered.

The Preister amendment was adopted with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

Senator Schmitt renewed his pending amendment, AM2572, found on page 1085, to the Standing Committee amendment.

Senator Quandahl asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Schmitt withdrew his amendment.

Senator Schmitt withdrew his amendment, AM2573, found on page 1085.

Senator Tyson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Schmitt renewed his pending amendment, AM2967, found on page 1254, to the Standing Committee amendment.

The Schmitt amendment was adopted with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

Senator Beutler renewed his pending amendment, AM3104, found on page 1390, to the Standing Committee amendment.

Senator Beutler moved for a call of the house. The motion prevailed with 13 ayes, 0 nays, and 36 not voting.

The Beutler amendment was adopted with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

Senator Lynch asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA354
Amend AM2762
P. 1, line 17, strike "shall" and insert "may".

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 19 ayes, 0 nays, and 30 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 12:

Chambers
Hartnett
Jones
Landis
Price
Raikes
Redfield
Robak
Schmitt
Smith
Suttle
Wickersham

Voting in the negative, 25:

Aguilar
Beutler
Bohlke
Bromm
Brown
Bruning
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hudkins
Janssen
Jensen
Kremer
Kristensen
Matzke
Pedersen, Dw.
Schimek
Schrock
Stuhr
Thompson
Vrtiska
Wehrbein

Present and not voting, 3:

Baker
Hilgert
Preister

Excused and not voting, 9:

Bourne
Brashear
Byars
Engel
Kiel
Lynch
Pederson, D.
Quandahl
Tyson

The Chambers amendment lost with 12 ayes, 25 nays, 3 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Senator Bromm offered the following amendment to the Standing Committee amendment:
FA355

(Amendments to AM2762)

1 1. On page 2, after line 10 insert the following new
2 subsection:
3 "(4) This section shall not apply to a retailer at a
4 location with two or fewer fuel storage tanks available for retail
5 sale of motor fuel until January 1, 2002.".

The Bromm amendment was adopted with 28 ayes, 0 nays, 12 present and not voting, and 9 excused and not voting.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA356
Amend FA355
In line 5, put a period after "fuel" and strike remaining language.

The Chambers amendment was adopted with 28 ayes, 1 nay, 12 present and not voting, and 8 excused and not voting.

Senator Baker offered the following amendment to the Standing Committee amendment:
AM3147

(Amendments to AM2762)

1 1. On page 1, line 20, after "oxygen" insert ", except
2 that if the retailer is selling at the location motor fuel that
3 contains a renewable fuel content equal to or greater than three
4 and one-half percent weight oxygen at eighty-nine octane or
5 higher".

Senator Baker moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Baker requested a roll call vote on his amendment.

Voting in the affirmative, 14:

Baker Chambers Hartnett Hilgert Jones
Landis Pedersen, Dw. Price Raikes Redfield
Robak Schmitt Smith Wickersham

Voting in the negative, 25:

Aguilar Beutler Bohlke Bromm Brown
Bruning Connealy Coordsen Crosby Cudaback
Dickey Dierks Hudkins Janssen Jensen
Kiel Kremer Kristensen Matzke Preister
Schrock Stuhr Thompson Vrtiska Wehrbein

Present and not voting, 2:

Schimek Suttle

Excused and not voting, 8:

Bourne Brashear Byars Engel Lynch
Pederson, D. Quandahl Tyson

The Baker amendment lost with 14 ayes, 25 nays, 2 present and not voting, and 8 excused and not voting.

Pending.

The Chair declared the call raised.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 352, 352A, 973, 1124, 1124A, and 1285.

Enrollment and Review Change to LB 352

The following changes, required to be reported for publication in the Journal, have been made:
ER9149
1. In the D. Pederson amendment, AM3073, on page 1, line 4, "this section and" has been struck and shown as stricken.
2. In the Bruning amendment, AM2787:
a. Section 18 has been renumbered as section 19; and
b. On page 1, line 3, "or its successor agency" has been struck.
3. In the E & R amendment, AM7241:
a. On page 9, line 12, "act" has been struck and "Commission for the Blind and Visually Impaired Act" inserted; and
b. On page 16, line 1, "other" has been inserted before "print-reading-impaired".
4. On page 1, the matter beginning with "blind" in line 1 through line 8 and all amendments thereto have been struck and "disabled persons; to amend sections 83-210.01 to 83-210.03, 83-211, 83-211.02, and 84-1604.01, Reissue Revised Statutes of Nebraska, and section 71-4720.01, Revised Statutes Supplement, 1998; to adopt the Commission for the Blind and Visually Impaired Act; to eliminate provisions relating to the Department of Health and Human Services; to provide for a voice newspaper delivery system and a technology access contract clause; to eliminate a videotext service; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 83-210.04 to 83-210.07 and 83-212, Reissue Revised Statutes of Nebraska, and section 71-4733, Revised Statutes Supplement, 1998; and to declare an

emergency." inserted.

Enrollment and Review Change to LB 1124

The following changes, required to be reported for publication in the Journal, have been made:
ER9147

1. In the Coordsen amendment, AM3052, on page 1, line 4, "";" has been inserted after "insert"; and in line 5 the quotation mark has been struck.

Enrollment and Review Change to LB 1285

The following changes, required to be reported for publication in the Journal, have been made:
ER9148

1. In the Bromm-Kristensen-Landis amendment, AM3082:

a. On page 3, line 27, "for the stay" has been inserted after "applicant";

b. On page 6, line 25, "sections" has been struck and "section" inserted; and in line 26 "and" has been struck and an underscored comma has been inserted before "or"; and

c. On page 23, lines 22 and 27 "sections" has been struck and "section" inserted and "and" has been struck; in line 23 an underscored comma has been inserted before "or"; and in line 24 "7" has been struck and "6" inserted.

2. On page 1, lines 2 through 5 and all amendments thereto have been struck and "sections 75-122.01, 75-134, 75-136, 75-136.01, 75-137, 75-139.01, 75-156, 75-606, 75-610, 75-722, 86-803, 86-811, 86-1005, 86-1110, 86-1111, 86-1219, 86-1222, 86-1306, 86-1405, and 86-1909, Reissue Revised Statutes of Nebraska, and sections 75-109 and 75-609, Revised Statutes Supplement, 1999; to change provisions relating to commission orders and jurisdiction; to change certain stay and appeal provisions; to change, authorize, and limit certain administrative fines; to eliminate certain penalties and obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 75-145, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.

(Signed) Adrian M. Smith, Chairperson

UNANIMOUS CONSENT - Add Cointroducer

Senator Dickey asked unanimous consent to have his name added as cointroducer to LR 487. No objections. So ordered.

AMENDMENT - Print in Journal

Senator Jones filed the following amendment to LB 1234:
AM3142

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. (1) Except as otherwise provided in this section, all gasoline offered for sale, sold, or dispensed for use as motor fuel in Nebraska shall, beginning January 1, 2001, contain a renewable fuel content equal to or greater than three and one-half percent weight oxygen. For purposes of this section, renewable fuel means fuel made from renewable sources such as ethanol produced from corn, sorghum, and biomass.

(2) Gasoline shall be exempt from the requirements of subsection (1) of this section if it is (a) a premium grade fuel containing ninety-one or more octane, (b) fuel containing eighty-seven or less octane, or (c) offered for sale, sold, or dispensed for use at an airport in aircraft.

Sec. 2. The Department of Revenue shall monitor wholesale terminal prices of gasoline offered for sale, sold, or dispensed pursuant to section 1 of this act. If at any time the wholesale price of blended renewable fuel is more than the wholesale price of premium grade fuel, the department shall cause the renewable fuel content to be adjusted to reduce the wholesale price differential. The wholesale price differential shall be based upon the Axxis Petroleum Rack Price Report or other commonly used wholesale price reports as determined by the department.

Sec. 3. The Attorney General shall enforce sections 1 and 2 of this act and may:

(1) Subpoena witnesses, compel their attendance, examine them under oath, and require the production of documents, records, or tangible things deemed relevant to the proper performance of his or her duties. Service of any subpoena shall be made in the manner prescribed by the rules of civil procedure;

(2) Bring suit to enjoin a violation or threatened violation of section 1 of this act. Venue for such action shall be in the county in which the alleged violation occurred, is occurring, or is threatening to occur, or in Lancaster County; and

(3) Impose or levy an administrative fine of not more than one thousand dollars on any person who has violated section 1 of this act. Any separate activity or day in which an activity takes place shall be considered to be a separate violation.

Sec. 4. On or before December 1 of each year, the Department of Revenue shall issue a report to the Legislature regarding its duties pursuant to section 2 of this act.

Sec. 5. This act becomes operative on January 1, 2001.

Sec. 6. The following section is outright repealed: Section 66-1225, Reissue Revised Statutes of Nebraska.".

VISITORS

Visitors to the Chamber were 61 fourth grade students and teachers from Rockwell Elementary School, Omaha; 26 seniors and teacher from Overton; and Joel Shockley and Seth Colburn from Park Middle School, Lincoln.

ADJOURNMENT

At 6:22 p.m., on a motion by Senator Schmitt, the Legislature adjourned until 9:00 a.m., Wednesday, March 29, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-SECOND DAY - MARCH 29, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 29, 2000

PRAYER

The prayer was offered by Pastor Rod Thelander, First Church of the Nazarene, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Cudaback presiding.

The roll was called and all members were present except Senators Byars and Engel who were excused; and Senators Bohlke, Brashear, Crosby, Hartnett, Hilgert, Landis, Lynch, D. Pederson, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-first day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 812. Placed on Select File as amended.
E & R amendment to LB 812:
AM7249

1. Strike the original sections and all amendments thereto and insert the following sections:

"Section 1. Section 79-757, Revised Statutes Supplement, 1998, is amended to read:

79-757. Sections 79-757 to 79-762 and sections 2 and 3 of this act shall be known and may be cited as the Quality Education Accountability Act.

Sec. 2. The State Board of Education shall adopt measurable model academic content standards for each grade level no later than July 1, 2001. The standards shall cover the subject areas of reading, writing, mathematics, science, social studies, and history. The standards adopted shall be sufficiently clear and measurable (1) to legally enable a periodic statewide assessment of the mastering of the academic content by the public school students of this state, (2) to use the results as accreditation indicators, and (3) for use for other purposes designed to improve student performance with respect to mastering of the content described in the standards.

Sec. 3. In accordance with timelines that are adopted by the State Board of Education, but in no event later than July 1, 2003, each school district shall adopt measurable quality academic content standards for every grade level in the subject areas of reading, writing, mathematics, science, social studies, and history. The standards may be the same as, or may be equal to or exceed in rigor, the measurable model academic content standards adopted by the state board. The State Department of Education shall adopt and promulgate appropriate rules and regulations to insure the rigor of the measurable quality academic content standards.

Sec. 4. Section 79-760, Revised Statutes Supplement, 1998, is amended to read:

79-760. (1) The State Board of Education shall implement a statewide system for the assessment of student learning and for reporting the performance of school districts. The state board shall adopt an assessment and reporting plan and begin implementation of the assessment and reporting system in the 2000-01 school year beginning with the assessment of reading and writing. The state board shall prescribe statewide assessments of writing that rely on writing samples beginning in the spring of 2001 with students in each of three grades selected by the state board. For each series of four school fiscal years thereafter, one of the three selected grades shall participate in the statewide writing assessment each year for the first three years, such that each of the three selected grades is assessed once in the first three years of the four-year series and each of the three selected grades will participate in the fourth year. The state board shall develop an assessment system for the subject areas of reading, mathematics, science, social studies, and history. The aggregate results of any assessments required by the state board pursuant to this section shall be reported by the district on a building basis to the public in that district and to the State Department of Education. The department shall report the aggregate results of any assessments required by the state board pursuant to this section on a district or building basis as part of the statewide assessment and reporting system. ~~assessment program for students in a selected grade in each of the grade ranges four through six, seven through nine, and ten through twelve each fall semester beginning with the fall semester of 2000. The assessment program shall consist of one assessment purchased from an assessment~~

~~service for each selected grade which tests students in the areas of mathematics, reading, science, and social studies, plus one writing assessment, either developed within the state by educators with expertise in writing assessment or purchased as a part of the assessment for the other specified subjects.~~

(2) The purposes of the assessment ~~program~~ and reporting system are to:

(a) Determine how well public schools are performing in terms of the learning of public school students related to the subject areas of reading, writing, mathematics, science, social studies, and history;

(b) Report the performance of public schools based upon the results of the assessment;

(c) Provide information for the public and policymakers on the performance of public schools; and

(d) Provide for the comparison of Nebraska public schools to their peers and to school systems of other states and other countries.

(3) The assessment and reporting plan shall include all public schools and all public school students. The state board shall adopt criteria for the inclusion of students with disabilities, students entering the school for the first time, and students with limited English proficiency.

(4) The assessment and reporting plan shall provide for the confidentiality of the individual students.

(5) The state board shall adopt and promulgate rules and regulations to carry out this section. ~~Evaluate whether or not students in a school system have acquired skills and knowledge which allow them to meet or exceed academic standards established by the state board;~~

~~(b) Measure progress of students in a school system toward meeting academic standards established by the state board;~~

~~(c) Provide information for analysis of adopted standards and consideration of new standards;~~

~~(d) Allow comparisons to be made between the academic achievement of students in a local system and students in another Nebraska local system; and~~

~~(e) Allow comparisons to be made between the academic achievement of Nebraska students with the academic achievement of students in other states.~~

~~(3) All public school districts shall participate in the assessment, and all students enrolled in the designated grade levels in such districts shall be assessed except as provided in this subsection. The state board shall establish criteria that schools may use to exempt special education students from assessment in any or all subject areas. The state board may also adopt alternative assessments or means of scoring for special education students and students with limited English proficiency.~~

~~(4) The individual assessment scores shall be~~

~~confidential, shall be reported to the school district for educational purposes, and shall not be reported to the State Department of Education. Aggregate results for each school district shall be reported to the department by the assessment service and writing assessment scorers. School districts may also make aggregate data available based on attendance centers.~~

~~(5) The department shall be responsible for the cost of the assessment materials and scoring.~~

Sec. 5. Original sections 79-757 and 79-760, Revised Statutes Supplement, 1998, are repealed.".

2. On page 1, strike beginning with "section" in line 1 through line 10 and insert "sections 79-757 and 79-760, Revised Statutes Supplement, 1998; to provide for academic content standards and assessment and reporting of student learning; to provide duties; to harmonize provisions; and to repeal the original sections.".

LEGISLATIVE BILL 812A. Placed on Select File.

LEGISLATIVE BILL 1010. Placed on Select File as amended.
E & R amendment to LB 1010:
AM7248

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. For purposes of sales of educational lands at public auction, appraised value is the adjusted value as determined by the Property Tax Administrator or his or her representative (1) for agricultural and horticultural land, multiplied by one and twenty-five hundredths, or (2) for all other classes of real property, multiplied by one, unless the Board of Educational Lands and Funds establishes a higher value pursuant to section 72-257 or 72-258, in which case that value shall be the appraised value for purposes of sale.

Sec. 2. Section 72-240.26, Reissue Revised Statutes of Nebraska, is amended to read:

72-240.26. The ~~board~~ Board of Educational Lands and Funds and the Nebraska Investment Council shall jointly report annually to the Clerk of the Legislature, and such report shall contain anticipated future actions by the board as well as actions already taken. The board's portion of the report shall include~~,~~ (1) with reference to each tract of land sold pursuant to section 72-201.01: ~~(1)~~ (a) The legal description; ~~(2)~~ (b) the unique characteristics of the land being sold; ~~(3)~~ (c) the appraised value; ~~(4)~~ (d) the sale price; ~~(5)~~ (e) the amount of funds received in the calendar year covered by the report from the sale; ~~(6)~~ (f) the disposition of the funds; ~~(7)~~ (g) the total number of acres of any unsold educational lands remaining under the general management and control of the board by county; ~~and (8)~~ (h) the total appraised value of unsold land; and (i) the percentage of the investment portfolio remaining in real estate, including all nonagricultural real estate and (2) the corresponding information for any land that has been acquired or traded. The council's portion of the report shall include a cost-benefit analysis which considers the land being sold versus the anticipated investment potential of proceeds resulting from the sale. The cost-benefit analysis model used shall be consistent with the standards of the investment industry at the time of the proposed sale. Each member of the Legislature shall receive a copy of such report by making a request for it to the chairperson of the board.

Sec. 3. Section 72-257, Reissue Revised Statutes of Nebraska, is amended to read:

72-257. All lands, now owned or hereafter acquired by the state for educational purposes, may be sold at the expiration of the present leases. The Board of Educational Lands and Funds shall retain all mineral rights in the land sold. Prior to such sale, the land ~~shall~~ may be appraised for ~~sale~~ purposes of sale in the same manner as privately owned land by a ~~representative~~ certified general real estate appraiser appointed by the ~~Board of Educational Lands and Funds,~~ board and thereafter shall be sold at public sale at not less than the appraised value. When ~~; PROVIDED, that when~~ two or more contiguous tracts are under separate leases with different expiration dates, the board may, if it is deemed to be in the best interest of the state, defer the sale of any tract having an earlier lease expiration date~~,~~ and may offer the tract for lease for less than twelve years to coincide with the expiring lease of the contiguous tract, in order that the contiguous lands may eventually be offered for sale on the same date.

Sec. 4. Section 72-258, Reissue Revised Statutes of Nebraska, is amended to read:

72-258. Educational land shall be offered for sale at public auction by a representative of the Board of Educational Lands and Funds and sold at not less than ~~either~~ the appraised value ~~or the fair market value~~ to the highest bidder. ~~The appraised value for sales purposes shall be the starting bid price.~~ Notice of such sale and the time and place where the same will be held shall be given by publication three consecutive weeks in some legal newspaper published in the county where the tracts of land or the lots are located or, in case no legal newspaper is published in the county, then in some legal newspaper of general circulation therein. The proof of such publication shall be made by the affidavit of the publisher or principal clerk of such newspaper or by some other person knowing about the same and shall be filed in the office of the board. When the land consists of an undivided interest in realty, an action to partition may be maintained in the same manner as provided by law for the partition of real property among several joint owners. All notices of sale shall be posted in the office of the board. The board may arrange for such commercial advertising of land sales as it deems in the best interest of the state.

Any person or entity requesting that a tract of land be sold at public auction shall file an agreement with the board to pay the appraised value or a higher value as a minimum opening bid for the land. Within sixty days after receipt by the board of the request, the board shall determine whether or not to offer the tract of land for sale at public auction with a minimum opening bid equal to that amount stated in the accepted agreement for the minimum opening bid and shall notify the person or entity requesting the auction of the board's determination prior to advertising the tract of land for sale. If the board determines to offer the tract of land for sale at public auction, the auction shall be held within one hundred twenty days after the board accepts the agreement for a minimum opening bid. If the board determines not to offer the tract of land for sale, the offering price and legal description of the tract of land shall be included in the annual report to the Legislature.

The sale shall be subject to confirmation by the board that the requirements of this section have been met. Settlement shall be made by paying cash of not less than twenty percent of the purchase price at the time of sale, and the balance shall be payable in cash within ninety days after the date of sale. If the person submitting the high bid for the land fails to pay the balance of the purchase price and complete the sale within ninety days, his or her rights under the sale, including the twenty percent downpayment, shall be forfeited by the board and a new sale shall be authorized.

Sec. 5. Section 72-258.02, Reissue Revised Statutes of Nebraska, is amended to read:

72-258.02. Whenever a portion of the National System of Interstate and Defense Highways is constructed on school land and an interchange is constructed on such school land, the Board of Educational Lands and Funds shall ~~appraise~~ ~~such~~ ~~land~~ ~~and~~ offer ~~it~~ such land for sale at public auction in such tracts as the board shall determine~~,~~ and sell it at not less than its appraised value. The sale shall be made subject to the rights of leaseholders, if any, and the leaseholder shall be paid for improvements and the value of the leasehold for agricultural purposes. The sale shall be made in accordance with the provisions of section 72-258.

Sec. 6. Original sections 72-240.26, 72-257, 72-258, and 72-258.02, Reissue Revised Statutes of Nebraska, are repealed.".

2. On page 1, strike beginning with the first comma in line 3 through "1999" in line 4; and in line 5 strike "classification" and insert "appraisal".

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 973A. Title read. Considered.

Senator Janssen renewed his pending amendment, AM3116, found on page 1396.

The Janssen amendment was adopted with 28 ayes, 0 nays, 10 present and not voting, and 11 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

LEGISLATIVE BILL 1234. Senator Jones offered the following amendment to the Standing Committee amendment:
AM3149
(Amendments to AM2762)

1. On page 1, strike beginning with the comma in line 18 through the comma in line 19; and in line 20 after "oxygen" insert "if such retailer offers motor fuel with an octane rating of less than ninety-one but greater than eighty-seven".

Senator Jensen asked unanimous consent to be excused until he returns. No objections. So ordered.

SENATOR COORDSEN PRESIDING

Senator Beutler moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 2 nays, and 19 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

The Jones amendment lost with 9 ayes, 23 nays, 14 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA357
Amend AM2762
1. On page 1, line 20, after "oxygen" insert ", except that if the retailer is selling at the location motor fuel that contains a renewable fuel content no greater than three and one-half percent weight oxygen at eighty-nine octane or higher".

SENATOR CUDABACK PRESIDING

Senator Schrock moved the previous question. The question is, "Shall the debate now close?"

Senator Bruning moved for a call of the house. The motion prevailed with 21 ayes, 0 nays, and 28 not voting.

The motion to cease debate prevailed with 25 ayes, 3 nays, and 21 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 17:

Aguilar
Baker
Bohlke
Brashear
Chambers
Hartnett
Jones
Kristensen
Price
Quandahl
Raikes
Redfield
Robak
Schmitt
Smith
Suttle
Wickersham

Voting in the negative, 21:

Beutler
Bourne
Bromm
Bruning
Connealy
Coordsen
Dickey
Dierks
Hudkins
Janssen
Jensen
Kremer
Landis
Matzke
Pedersen, Dw.
Pederson, D.
Schrock
Stuhr
Tyson
Vrtiska
Wehrbein

Present and not voting, 9:

Brown
Crosby
Cudaback
Hilgert
Kiel
Lynch
Preister
Schimek
Thompson

Excused and not voting, 2:

Byars
Engel

The Chambers amendment lost with 17 ayes, 21 nays, 9 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Baker offered the following amendment to the Standing Committee amendment:
AM3154

(Amendments to AM2762)

1. In the Bromm amendment, FA355, on page 1, line 5, strike "motor fuel" and insert "gasoline".

Senators Robak and Brashear asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Baker moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Baker requested a roll call vote on his amendment.

Voting in the affirmative, 12:

Baker Chambers Janssen Pedersen, Dw. Price
Quandahl Raikes Redfield Schmitt Smith
Suttle Wickersham

Voting in the negative, 22:

Aguilar Beutler Bourne Bruning Connealy
Crosby Dickey Dierks Hudkins Kiel
Kremer Kristensen Landis Matzke Pederson, D.
Preister Schimek Schrock Stuhr Thompson
Tyson Wehrbein

Present and not voting, 11:

Bohlke Bromm Brown Coordsen Cudaback
Hartnett Hilgert Jensen Jones Lynch
Vrtiska

Excused and not voting, 4:

Brashear Byars Engel Robak

The Baker amendment lost with 12 ayes, 22 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Wickersham offered the following amendment to the Standing Committee amendment:
AM3152

(Amendments to AM2762)

1. Insert the following new section:

"Sec. 3. Petroleum wholesalers must offer for sale motor fuel which contains a renewable fuel content of equal to or greater than three and one-half percent weight oxygen to motor fuel retailers. Such motor fuel shall be offered for sale by wholesalers to retailers at a discount which shall equal five cents per gallon less than the price for fuel without such oxygen content. Retailers who obtain such discount shall prominently post a sign attached to each pump dispensing such fuel which states "ETHANOL-BLENDED FUEL HAS BEEN SUPPLIED FROM WHOLESALERS AT A FIVE-CENT DISCOUNT PER GALLON".

2. Renumber the remaining sections and correct internal references accordingly.

Pending.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative resolution:

LB/LR	**Committee**
LR 438	Transportation and Telecommunications

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

MESSAGE FROM THE GOVERNOR

March 29, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1427, 1427A, 1436e, and 1436Ae were received in my office on March 24, 2000.

These bills were signed by me on March 29, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

VISITORS

Visitors to the Chamber were 24 juniors, seniors, and teacher from Ralston High School; 4 students and teacher from Pius X High School, Lincoln; Lois Butler from Kearney; 7 members of the Nebraska Taxpayers Association from Omaha; 50 fourth grade students and teachers from Seymour Elementary School, Ralston; 50 fourth grade students and teachers from York Elementary School; Tom Nutt from Holdrege; Sharra Stapleton and MaKayla Lyons from Sacred Heart Elementary School, Omaha; 50 fourth grade students and teachers from North Bend Public School; and members and sponsors from Columbus Junior City Council.

RECESS

At 12:08 p.m., on a motion by Senator Dierks, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:32 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senators Byars and Engel who were excused; and Senators Brown and Robak who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1234. The Wickersham pending amendment, AM3152, found on page 1419, to the Standing Committee amendment, was renewed.

Senator Wickersham withdrew his amendment.

Senator Jones offered the following amendment to the Standing Committee amendment:
AM3161

(Amendments to AM2762)

1. On page 1, line 20, after the period insert "In addition each retailer of motor fuel may offer for sale, at the lowest octane rating sold by the retailer at that location, motor fuel without renewable fuel content equal to or greater than three and one-half percent weight oxygen.".

SENATOR CROSBY PRESIDING

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

The Jones amendment was adopted with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

Senator Schmitt offered the following amendment to the Standing Committee amendment:
AM3164

(Amendments to AM2762)

1. On page 1, lines 19 and 20, strike "equal to or" and insert "no".
2. On page 2, line 3, strike "of at least" and insert "no greater than".

Senator Schmitt moved for a call of the house. The motion prevailed with 18 ayes, 1 nay, and 30 not voting.

Senator Schmitt requested a roll call vote on his amendment.

Voting in the affirmative, 13:

Aguilar
Baker
Brashear
Chambers
Crosby
Hartnett
Lynch
Price
Redfield
Robak
Schmitt
Smith
Wickersham

Voting in the negative, 20:

Bromm
Bruning
Connealy
Dickey
Dierks
Hudkins
Janssen
Kremer
Kristensen
Landis
Matzke
Pedersen, Dw.
Pederson, D.
Quandahl
Raikes
Schimek
Schrock
Stuhr
Tyson
Wehrbein

Present and not voting, 12:

Beutler
Bohlke
Bourne
Coordsen
Hilgert
Jensen
Jones
Kiel
Preister
Suttle
Thompson
Vrtiska

Absent and not voting, 1:

Brown

Excused and not voting, 3:

Byars
Cudaback
Engel

The Schmitt amendment lost with 13 ayes, 20 nays, 12 present and not voting, 1 absent and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the Standing Committee amendment:
FA358
Amend AM2762
P. 2, line 17, strike "October 1, 2000" and insert "October 1, 2001".

Speaker Kristensen ordered the removal of LB 1234 from the agenda.

SELECT COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 973A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

STANDING COMMITTEE REPORTS
Health and Human Services

LEGISLATIVE BILL 981. Placed on General File as amended.
(Standing Committee amendment, AM3065, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

The Health and Human Services Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Health and Human Services System Partnership Council
  Christopher Rodgers

Commission for the Deaf and Hard of Hearing
  Tricia Tighe
  Margaret Coleman
  Esther Seanor

Excellence in Health Care Council
  Cordelia Okoye

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Tyson, Price, and Dickey. Nay: None. Absent: None.

The Health and Human Services Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Board of Emergency Medical Services
  Robert Olson

Excellence in Health Care Council
  John Klosterman

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Tyson, Price, and Dickey. Nay: None. Absent: None.

(Signed) Jim Jensen, Chairperson

COMMUNICATION

March 29, 2000

Mr. Patrick O'Donnell
Clerk of the Legislature

Room 2018
State Capitol Building
Lincoln, Nebraska 68509

Dear Mr. O'Donnell:

Pursuant to the Provisions of Section 85-404, R.R.S. of Nebraska, 1943 Legislative approval is requested for the following three University of Nebraska projects:

City Campus Parking Structure (17th & R Streets). The University of Nebraska-Lincoln proposes to construct a multi-level parking structure with a minimum of 1,200 parking spaces on the block bounded by 17th Street, R Street, 18th Street and Q Street. The structure will also contain a waiting area for transit riders and street level (approximately 17,000 gross square feet) shell space for university functions. The project is estimated to cost $17,737,000.

Request. The University requests approval for this Parking Structure project totaling $17,737,000 to be financed through the issuance of Parking Revenue Bonds.

Nebraska Union Addition/Renovation. The University of Nebraska at Kearney proposes to expand and renovate the existing Nebraskan Student Union. The project will include: 1) addition of meeting/work space for student government and organizations; 2) addition of 24 hour computer laboratory; 3) renovation of space for banquet facilities; 4) addition of smaller flexible multipurpose meeting/conference space; 5) expansion of food court; 6) renovation and addition of student amenities such as lounges, copy center and post office; and 7) renovation of existing heating, ventilating and air conditioning systems. The project is estimated to cost $6,300,000.

Request. The University requests approval for this Nebraskan Union Addition/Renovation project totaling $6,300,000 to be financed through issuance of Student Fee Finances State Revenue Bonds and the University of Nebraska at Kearney Revenue Bond Fund.

Pursuant to the Provisions of Section 85-408, R.R.S. of Nebraska, 1943 Legislative approval is requested for the following:

Utility Improvements. The University of Nebraska at Kearney proposes utility improvements which involve the installation of steam and chilled water lines for use by revenue bond facilities. With the installation of utilities to the new College of Education, it is advantageous to increase line capacities to serve the entire east campus. The cost to the revenue bond program is prorated to the square feet that revenue bond facilities are to the total campus and is estimated at $732,600.

Request. The University of Nebraska requests approval for these Utility Improvements at the University of Nebraska at Kearney totaling $732,600. The improvements will be financed through the Surplus Fund of the University of Nebraska at Kearney Student Fees and Facilities Revenue Bonds.

The Board of Regents authorized these expenditures at its January 15, 2000, meeting. On March 29, 2000, the Nebraska Coordinating Commission for Postsecondary Education approved the expenditures.

Thank you for your consideration of these projects.

Respectfully submitted,
(Signed) Kim M. Robak
Vice President for External Affairs
and Corporation Secretary

SELECT FILE

LEGISLATIVE BILL 833. E & R amendment, AM7226, found on page 1042, was adopted.

Senator Dierks withdrew his amendments, AM2897 and AM2917, found on pages 1136 and 1137.

Senator Dierks moved to suspend the rules, Rule 7, Section 3(d), to permit consideration of AM3063.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

The Dierks motion to suspend the rules prevailed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Dierks renewed his pending amendment, AM3063, printed separately and referred to on page 1308.

Senators Janssen and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

The Dierks amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1348. E & R amendment, AM7233, found on page 1086, was adopted.

Senator Beutler withdrew his amendment, AM2993, found on page 1222.

Senator Wehrbein asked unanimous consent to replace the Wehrbein-Connealy pending amendment, AM2999, found on page 1222, with a substitute amendment. No objections. So ordered.

Senator Wehrbein withdrew the Wehrbein-Connealy amendment, AM2999, found on page 1222.

Senator Wehrbein renewed the substitute Connealy et al. pending amendment, AM3131, found on page 1396.

The Connealy et al. amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Kiel renewed her pending amendment, AM3009, found on page 1223.

Senator Dw. Pedersen asked unanimous consent to be excused. No objections. So ordered.

Pending.

CEREMONIES

The Speaker introduced a group from the Nebraska Association of Former State Legislators.

EASE

The Legislature was at ease from 4:07 p.m. until 4:17 p.m.

SPEAKER KRISTENSEN PRESIDING

SELECT FILE

LEGISLATIVE BILL 1348. The Kiel pending amendment, AM3009, found on page 1223 and considered in this day's Journal, was renewed.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Kiel moved for a call of the house. The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Kiel requested a roll call vote on her amendment.

Senator Wehrbein requested the roll call vote be taken in reverse order.

Voting in the affirmative, 18:

Aguilar Beutler Bohlke Bourne Brashear
Hartnett Hilgert Jensen Kiel Landis
Lynch Preister Price Quandahl Robak
Schimek Suttle Thompson

Voting in the negative, 21:

Baker Bromm Brown Chambers Coordsen
Crosby Dickey Jones Kremer Kristensen
Matzke Pederson, D. Raikes Redfield Schmitt
Schrock Smith Tyson Vrtiska Wehrbein
Wickersham

Present and not voting, 5:

Connealy Cudaback Hudkins Janssen Stuhr

Excused and not voting, 5:

Bruning Byars Dierks Engel Pedersen, Dw.

The Kiel amendment lost with 18 ayes, 21 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator D. Pederson asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler withdrew his amendment, AM3060, found on page 1287.

Senator Beutler offered the following amendment:
AM3169

(Amendments to AM3131)

1. On page 4, lines 2 and 3; page 5, lines 3 and 4; and page 7, lines 15 and 16, strike "Agriculture" through "of".

2. On page 4, line 23; page 7, lines 6, 19, and 24; and page 8, line 19, strike "Agriculture" and insert "Economic Development".

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

Senator Beutler requested a roll call vote on his amendment.

Senator Dierks requested the roll call vote be taken in reverse order.

Voting in the affirmative, 13:

Beutler
Hartnett
Hilgert
Jensen
Kiel
Landis
Preister
Price
Quandahl
Raikes
Redfield
Suttle
Thompson

Voting in the negative, 27:

Aguilar
Baker
Bohlke
Bourne
Brashear
Bromm
Brown
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hudkins
Jones
Kremer
Kristensen
Matzke
Schmitt
Schrock
Smith
Stuhr
Tyson
Vrtiska
Wehrbein
Wickersham

Present and not voting, 3:

Janssen
Robak
Schimek

Excused and not voting, 6:

Bruning
Byars
Engel
Lynch
Pedersen, Dw.
Pederson, D.

The Beutler amendment lost with 13 ayes, 27 nays, 3 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Suttle requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Aguilar
Baker
Bohlke
Bourne
Brashear
Bromm
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Janssen
Jones
Kremer
Kristensen
Landis
Matzke
Price
Raikes
Robak
Schmitt
Schrock
Smith
Stuhr
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 2:

Schimek
Suttle

Present and not voting, 9:

Beutler
Brown
Chambers
Jensen
Kiel
Preister
Quandahl
Redfield
Thompson

Excused and not voting, 6:

Bruning Byars Engel Lynch Pedersen, Dw.
Pederson, D.

Advanced to E & R for engrossment with 32 ayes, 2 nays, 9 present and not voting, and 6 excused and not voting.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1348A. Senator Wehrbein withdrew his amendment, AM3000, found on page 1225.

Senator Kiel withdrew her amendment, AM3015, found on page 1293.

Senator Wehrbein offered the following amendment:
AM3122

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated (1) $1,000,000 from the General Fund for FY2000-01 and (2) $1,000,000 from the General Fund for FY2001-02 to the Department of Agriculture, for Program 27, to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2000-01 $1,000,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2001-02 $1,000,000 General Funds for state aid, which shall only be used for such purpose.

Sec. 2. There is hereby appropriated (1) $250,000 from the General Fund for FY2000-01 and (2) $250,000 from the General Fund for FY2001-02 to the Department of Economic Development, for Program 601, to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2000-01 $250,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2001-02 $250,000 General Funds for state aid, which shall only be used for such purpose.".

The Wehrbein amendment was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1119. E & R amendment, AM7245, printed separately and referred to on page 1292, was adopted.

Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 1003. Title read. Considered.

The Standing Committee amendment, AM2695, printed separately and referred to on page 987, was considered.

SENATOR CUDABACK PRESIDING

Senator Schrock renewed the D. Pederson pending amendment, AM2881, found on page 1093, to the Standing Committee amendment.

The D. Pederson amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

Senators Robak and Quandahl asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Bohlke moved for a call of the house. The motion prevailed with 11 ayes, 0 nays, and 38 not voting.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Senator Wickersham renewed his pending amendment, AM2806, found on page 1057.

Senator Wickersham moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator Wickersham requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 27:

Beutler
Coordsen
Janssen
Landis
Redfield
Bohlke
Cudaback
Jensen
Lynch
Schimek
Bourne
Hartnett
Jones
Preister
Stuhr
Chambers
Hilgert
Kiel
Price
Suttle
Connealy
Hudkins
Kristensen
Raikes
Thompson

Wehrbein Wickersham

Voting in the negative, 9:

Aguilar Baker Brashear Bromm Crosby
Matzke Schrock Smith Tyson

Present and not voting, 6:

Brown Dierks Kremer Pederson, D. Schmitt
Vrtiska

Absent and not voting, 1:

Dickey

Excused and not voting, 6:

Bruning Byars Engel Pedersen, Dw. Quandahl
Robak

The Wickersham amendment was adopted with 27 ayes, 9 nays, 6 present and not voting, 1 absent and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Stuhr offered the following amendment:
FA359
Amend AM2695
1. On page 13, line 15, before "." insert ", including the investment performance of the funds".

The Stuhr amendment was adopted with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 26 ayes, 0 nays, 17 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 1067. Title read. Considered.

The Standing Committee amendment, AM2614, found on page 878, was considered.

Senator Schrock offered the following amendment to the Standing Committee amendment:
AM3016
(Amendments to Standing Committee amendments, AM2614)
1. Insert the following new sections:
"Section 1. Section 57-501, Reissue Revised Statutes of

Nebraska, is amended to read:

57-501. As used in sections 57-501 to 57-507 unless the context otherwise requires:

(1) Person ~~shall mean and include~~ means and includes any person, persons, firm, or corporation;

(2) Owner ~~shall mean and include~~ means and includes (a) any person who holds a written bill of sale or other instrument under which title to the container was transferred to such person, (b) any person who holds a paid or receipted invoice showing purchase and payment of such container, (c) any person whose name, initials, mark, or other identifying device has been plainly and legibly stamped or otherwise shown upon the surface of such container for a period of not less than one year prior to the final enactment and approval of sections 57-501 to 57-507, or (d) any manufacturer of a container who has not sold or transferred ownership thereof by written bill of sale or otherwise;

(3) Liquefied petroleum gas ~~shall mean and include~~ means and includes any material which is composed predominantly of hydrocarbons or mixtures of the same, such as propane, propylene, butanes (normal butane and isobutane), and butylenes; ~~and~~

(4) Container means any vessel, including a cylinder or tank, used for storing of liquefied petroleum gas; and

(5) Cylinder means a container constructed in accordance with the United States Department of Transportation specifications in 49 C.F.R. ~~Cylinder shall mean a container used for liquefied petroleum gas constructed in accordance with Interstate Commerce Commission specifications and the capacity of which is not more than thirty water gallons or one hundred pounds of liquefied petroleum gas.~~

Sec. 2. Section 57-502, Reissue Revised Statutes of Nebraska, is amended to read:

57-502. No cylinder shall be filled or refilled with liquefied petroleum gas, or any other gas or compound, nor shall ~~such~~ a cylinder be bought, sold, offered for sale, given, taken, loaned, delivered, or permitted to be delivered or otherwise used, or trafficked in, unless such cylinder ~~shall have been subjected to a test by interior hydrostatic pressure in a waterjacket or other apparatus of suitable form approved by the Bureau of Explosives of the Interstate Commerce Commission within ten years from the date of its manufacture or within ten years after having been subjected to such test; PROVIDED, that without regard to the date of previous test, cylinders that show bad dents or other evidence of rough usage, or that are corroded locally to such extent as to indicate possible weakness, or that have lost as much as five percent of their official tare weight, must be retested before being again charged and shipped. After any retest, the actual tare weight for those cylinders passing the test may be recorded as their official tare weight~~ meets the requirements of the regulations of the United States Department of Transportation as they exist on the effective date of this act.

Sec. 3. Section 57-503, Reissue Revised Statutes of Nebraska, is amended to read:

57-503. While in transit, in storage, and ~~while~~ being moved into final utilization, all cylinders containing liquefied petroleum gas must have their valves protected as required by the regulations of the United States Department of Transportation on the effective date of this act. ~~by metal caps or a metal protection shield securely attached to the cylinder and of sufficient strength to protect the valves from injury.~~

Sec. 4. Section 57-504, Reissue Revised Statutes of Nebraska, is amended to read:

57-504. No person, except the owner thereof or persons authorized in writing by ~~said~~ the owner so to do, shall fill or refill with liquefied petroleum gas, or any other gas or compound, a ~~liquefied petroleum gas~~ container~~;~~ or buy, sell, offer for sale, give, take, loan, deliver, or permit to be delivered, or otherwise use, dispose of, or traffic in a ~~liquefied petroleum gas~~ container ~~or containers~~ if such container ~~shall bear~~ bears upon the surface thereof in plainly legible characters the name, initials, mark, or other device of ~~said~~ the owner; nor shall any person, other than the owner of a ~~liquefied petroleum gas~~ container or a person authorized in writing by ~~said~~ the owner, ~~so to do,~~ deface, erase, obliterate, cover up, or otherwise remove or conceal any such name, mark, initial, or device thereon. The ~~; PROVIDED, the~~ person using any ~~such cylinder~~ container may purchase the same at his or her option from the owner at a fair and reasonable market value, and after such purchase may purchase liquefied petroleum gas upon the open market.

Sec. 5. Section 57-505, Reissue Revised Statutes of Nebraska, is amended to read:

57-505. The use of a ~~liquefied petroleum gas cylinder, as defined in subdivision (4) of section 57-501,~~ container by any person other than the person whose name, mark, initial, or device ~~shall be or shall have~~ is or has been upon such ~~liquefied petroleum gas cylinder~~ container, without written consent or purchase of such marked and distinguished ~~liquefied petroleum gas cylinder~~ container, for the sale of liquefied petroleum gas or filling or refilling with liquefied petroleum gas, or the possession of such ~~liquefied petroleum gas cylinders~~ container by any person other than the person having his or her name, mark, initial, or other device thereon, without the consent of such owner, ~~shall and is hereby declared to be~~ is presumptive evidence of the unlawful use, filling or refilling, or trafficking in of such ~~liquefied petroleum gas cylinders~~ container.

Sec. 6. Section 57-506, Reissue Revised Statutes of Nebraska, is amended to read:

57-506. Whenever any person~~, or the president, secretary, treasurer, or other officer of any corporation mentioned~~

~~in section 57-501, or a duly authorized agent who has personal knowledge of the facts, shall make~~ makes an oath in writing before any judge of the county court~~,~~ that the party ~~so~~ making ~~such~~ the affidavit has reason to believe and does believe that ~~any liquefied petroleum gas cylinders, as defined by subdivision (4) of section 57-501,~~ a container which is marked with the name, initials, mark, or other device of ~~such owners, are~~ the owner is in the possession of or being used by or being filled or refilled by ~~any~~ a person whose name, initials, mark, or other device does not appear on ~~such cylinders,~~ the container and who is in the possession of, filling or refilling, or using ~~any such cylinders~~ the container without the consent of the owner, ~~of such name, initials, or trademark,~~ the judge may, when satisfied that there is reasonable cause, issue a search warrant and cause the premises designated to be searched for the purpose of discovering and obtaining the ~~same~~ container. The judge may also cause the person who possesses the container to be brought before the judge and ~~him or her the person in whose possession such cylinders may be found and shall then~~ inquire into the circumstances of such possession. If ~~such~~ the judge finds that such person ~~has been~~ is guilty of a violation of sections 57-501 to 57-507, ~~he or she~~ the judge shall sentence as provided in section 57-507 and shall also award the possession of ~~property~~ the container, including the contents, ~~of the cylinders,~~ taken upon such search warrant, to the owner thereof.".

2. On page 6, line 20, after "sections" insert "57-501 to 57-506,".

3. Renumber the remaining sections accordingly.

Senator Schrock withdrew his amendment.

Senator Beutler offered the following amendment to the Standing Committee amendment:

AM3177

(Amendments to Standing Committee amendments, AM2614)

1. Insert the following new sections:

"Section 1. On or after the effective date of this act, a retailer shall not offer for sale in this state any petroleum product that contains more than one percent of methyl tertiary butyl ether (MTBE) by volume. For purposes of this section, retailer has the same definition as in section 66-482.

Sec. 2. The Legislature finds that (1) existing monitoring of ground water quality performed by natural resources districts is excellent and deserves recognition, (2) substantial efforts have been undertaken by the Department of Environmental Quality to monitor surface water quality, and (3) it is within the state's capacity to develop a comprehensive, integrated statewide water quality monitoring system.

Sec. 3. The Department of Environmental Quality shall conduct a comprehensive study of water quality monitoring in

Nebraska pursuant to section 4 of this act. In preparing Phase I of the study, the department shall work with and consult an advisory committee consisting of a designee from each of the following: The American Consulting Engineers Council of Nebraska, the Department of Agriculture, the Nebraska Natural Resources Commission, the Department of Health and Human Services Regulation and Licensure, the Department of Water Resources, the League of Nebraska Municipalities, the Nebraska Association of Resource Districts, the Nebraska Game and Parks Commission, the United States Geological Survey, and the University of Nebraska. The advisory group for Phase II of the study shall include the members listed in this section for Phase I and be expanded to include all groups found by the Department of Environmental Quality to be significant stakeholders in the water quality area. Phase I of the study shall be presented to the Natural Resources Committee of the Legislature on or before December 1, 2000, and Phase II shall be presented to the committee on or before June 30, 2001.

Sec. 4. (1) The study required by section 3 of this act consist of two phases. Phase I of the study shall consist of an assessment of Nebraska's current water quality monitoring efforts and shall address, but not be limited to, the following:

(a) A detailed description of all current water quality monitoring efforts at the state and local levels, including scope, location, timing, procedure, number of personnel, state agency or local government involved, and funding;

(b) An analysis of current water quality monitoring efforts, indicating what the existing system does well and fails to do or does inadequately. The analysis shall address, but not be limited to, the following questions:

(i) Is the current number of monitoring sites sufficient to provide accurate information on water quality in all regions of the state;

(ii) Is the current frequency of monitoring efforts sufficient to provide an accurate measurement of changes in water quality over time;

(iii) Are the current methods of sample collection and analysis scientifically sound and is the collection of samples and subsequent testing conducted in a manner which reasonably assures accurate measurements;

(iv) Is the current reporting process timely and does it present information to policymakers in an understandable and usable form;

(v) Is the current coordination of monitoring efforts between the Department of Environmental Quality, natural resources districts, and county or local governments sufficient; and

(vi) Does the current system provide a mechanism insuring statewide or regional coordination of water quality monitoring efforts when desirable.

(2) Phase II of the study shall utilize the information

gathered during Phase I and shall consist of a detailed description of the changes required in the current system to establish a comprehensive, integrated statewide water quality monitoring system, including preferred alternatives if multiple options exist. The proposed monitoring system shall include, but not be limited to, the following:

(a) Recommended monitoring site locations;

(b) A description of acceptable monitoring techniques;

(c) The institutional flexibility to allow contaminants to be monitored on a statewide or regional basis as needed;

(d) Procedures to determine when coordinated monitoring between state and local entities is needed and policies for directing such monitoring;

(e) Provisions for the development of long-term trend lines for problem contaminants, for the inclusion of new contaminants, and for elimination of contaminants no longer requiring monitoring;

(f) Mechanisms to determine the best locations to monitor water quality for different types of contaminants and how to define local or regional problem areas; and

(g) An estimate of funding necessary to implement the recommendations of the study.".

2. Renumber the remaining sections and correct internal references accordingly.

Senator Beutler moved to suspend the rules, Rule 7, Sec. 3(d), in order to permit consideration of AM3177.

Senator Beutler withdrew his motion to suspend the rules.

Senator Beutler withdrew his amendment, AM3177.

The Standing Committee amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 27 ayes, 0 nays, 16 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 1167. Title read. Considered.

The Standing Committee amendment, AM2678, printed separately and referred to on page 985, was considered.

Senator Thompson withdrew her amendment, AM3078, found on page 1333.

Senator Suttle renewed her pending amendment, AM2915, found on page 1333, to the Standing Committee amendment.

Senator Connealy asked unanimous consent to be excused. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

The Suttle amendment was adopted with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senators Bourne and Wehrbein asked unanimous consent to be excused. No objections. So ordered.

Senator Thompson renewed her pending amendment, AM3079, found on page 1338, to the Standing Committee amendment.

The Thompson amendment was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

Senators Kristensen, Wickersham, D. Pederson, and Matzke offered the following amendment to the Standing Committee amendment:
FA360
Amend AM2678
On P. 4, line 14, strike beginning with the word "either" through line 16 and strike lines 25-27.

The Kristensen et al. amendment was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 1167A. Title read. Considered.

Advanced to E & R for review with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

COMMUNICATION

March 29, 2000

Senator George Coordsen
Chair - Executive Board
2010 State Capitol
Lincoln, NE 68509

Mr. Senator Coordsen:

Enclosed is correspondence I received from Kim Robak, Vice President for External Affairs and Corporation Secretary of the University of Nebraska-Lincoln.

With kind regards.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:j
Enc.

Referred to the Reference Committee.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following:

Refer request from the University of Nebraska to issue revenue bonds.

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

NOTICE OF COMMITTEE HEARING
Appropriations

Wednesday, April 5, 2000 8:00 a.m.
Agency 51 - University Systemwide

(Signed) Roger R. Wehrbein, Chairperson

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Sec. 8, LR 437 was referred to the Reference Committee.

AMENDMENTS - Print in Journal

Senators Wickersham and Schimek filed the following amendment to LB 803:
(Amendment, AM3172, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Raikes filed the following amendment to LB 1234:
AM3181

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. (1) The Ethanol Pricing Task Force is created. The task force shall examine the practices, policies, and methods by which ethanol prices are set and shall include a comparison of ethanol prices to other motor fuel prices in Nebraska. The task force shall collect data on price differences and how they impact the marketing and sale of ethanol. On or before December 1, 2000, the task force shall file a written report with the Legislature with its findings and recommendations concerning ethanol pricing practices.

(2) The task force shall consist of nine members as follows:

(a) A representative of petroleum marketers;

(b) A representative of motor fuel retailers;

(c) A representative of the ethanol industry;

(d) An agricultural producer;

(e) A member of the Nebraska Ethanol Board;

(f) A representative of the Motor Fuel Tax Enforcement and Collection Division of the Department of Revenue;

(g) One person representing environmental interests; and

(h) Two members of the Legislature, including the chairperson of the Natural Resources Committee.

The Governor shall appoint members in subdivisions (a) through (g) of this subsection. The Executive Board of the Legislative Council shall appoint members in subdivision (h) of this subsection. Members shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as provided in sections 81-1174 to 81-1177.

(3) The Executive Board of the Legislative Council shall provide the task force with necessary equipment, supplies, and staff support.

(4) The task force shall terminate on December 31, 2000.

Sec. 2. On or after the effective date of this act, a retailer shall not offer for sale in this state any petroleum product that contains more than one percent of methyl tertiary butyl ether (MTBE) by volume. For purposes of this section, retailer has the same definition as in section 66-482.

Sec. 3. The Legislature finds that (1) existing monitoring of ground water quality performed by natural resources districts is excellent and deserves recognition, (2) substantial efforts have been undertaken by the Department of Environmental Quality to monitor surface water quality, and (3) it is within the state's capacity to develop a comprehensive, integrated statewide water quality monitoring system.

Sec. 4. The Department of Environmental Quality shall conduct a comprehensive study of water quality monitoring in Nebraska pursuant to section 5 of this act. In preparing Phase I of the study, the department shall work with and consult an advisory committee consisting of a designee from each of the following: The American Consulting Engineers Council of Nebraska, the Department of Agriculture, the Nebraska Natural Resources Commission, the Department of Health and Human Services Regulation and Licensure, the Department of Water Resources, the League of Nebraska Municipalities, the Nebraska Association of Resource Districts, the Nebraska Game and Parks Commission, the United States Geological Survey, and the University of Nebraska. The advisory group for Phase II of the study shall include the members listed in this section for Phase I and be expanded to include all groups found by the Department of Environmental Quality to be significant stakeholders in the water quality area. Phase I of the study shall be presented to the Natural Resources Committee of the Legislature on or before December 1, 2000, and Phase II shall be presented to the committee on or before June 30, 2001.

Sec. 5. (1) The study required by section 4 of this act consist of two phases. Phase I of the study shall consist of an assessment of Nebraska's current water quality monitoring efforts and shall address, but not be limited to, the following:

(a) A detailed description of all current water quality monitoring efforts at the state and local levels, including scope, location, timing, procedure, number of personnel, state agency or local government involved, and funding;

(b) An analysis of current water quality monitoring efforts, indicating what the existing system does well and fails to do or does inadequately. The analysis shall address, but not be limited to, the following questions:

(i) Is the current number of monitoring sites sufficient to provide accurate information on water quality in all regions of the state;

(ii) Is the current frequency of monitoring efforts sufficient to provide an accurate measurement of changes in water quality over time;

(iii) Are the current methods of sample collection and analysis scientifically sound and is the collection of samples and subsequent testing conducted in a manner which reasonably assures accurate measurements;

(iv) Is the current reporting process timely and does it present information to policymakers in an understandable and usable form;

(v) Is the current coordination of monitoring efforts between the Department of Environmental Quality, natural resources districts, and county or local governments sufficient; and

(vi) Does the current system provide a mechanism insuring statewide or regional coordination of water quality monitoring efforts when desirable.

(2) Phase II of the study shall utilize the information gathered during Phase I and shall consist of a detailed description of the changes required in the current system to establish a

comprehensive, integrated statewide water quality monitoring system, including preferred alternatives if multiple options exist. The proposed monitoring system shall include, but not be limited to, the following:

(a) Recommended monitoring site locations;

(b) A description of acceptable monitoring techniques;

(c) The institutional flexibility to allow contaminants to be monitored on a statewide or regional basis as needed;

(d) Procedures to determine when coordinated monitoring between state and local entities is needed and policies for directing such monitoring;

(e) Provisions for the development of long-term trend lines for problem contaminants, for the inclusion of new contaminants, and for elimination of contaminants no longer requiring monitoring;

(f) Mechanisms to determine the best locations to monitor water quality for different types of contaminants and how to define local or regional problem areas; and

(g) An estimate of funding necessary to implement the recommendations of the study.".

GENERAL FILE

LEGISLATIVE BILL 925. Title read. Considered.

Senator Suttle renewed her pending amendment, AM2504, found on page 797.

Senator Preister asked unanimous consent to be excused. No objections. So ordered.

Pending.

VISITORS

Visitors to the Chamber were 29 fourth grade students and teachers from Omaha Christian School; 51 students and teachers from Morton Elementary School, Lexington; 31 eighth grade students and sponsors from Dundy County Middle School; 43 fourth grade students and teachers from West Park School, Columbus; and Michael Brown from Concordia University, Seward.

The Doctor of the Day was Dr. Paul Paulman from Omaha.

ADJOURNMENT

At 8:08 p.m., on a motion by Senator Crosby, the Legislature adjourned until 9:00 a.m., Thursday, March 30, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-THIRD DAY - MARCH 30, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, March 30, 2000

PRAYER

The prayer was offered by Pastor Charles Larsen, Country Bible Church, Blair, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Crosby presiding.

The roll was called and all members were present except Senator Byars who was excused; and Senators Bohlke, Brown, Dierks, Engel, Kiel, Matzke, D. Pederson, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-second day was approved.

REPORT OF REGISTERED LOBBYISTS

The following is a list of all lobbyists who have registered as of March 29, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

McGuire and Norby - Lincoln; Cargill

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative resolution:

LB/LR	**Committee**
LR 437	Judiciary

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

REPORT OF THE EXECUTIVE BOARD

2000 Resolutions calling for an Interim Study

LR 328	Interim study to examine standards for attorneys appointed to represent indigent persons Judiciary
LR 329	Interim study to examine designing an electronic state student information tracking system regarding postsecondary educational institutions Education
LR 330	Interim study to identify mechanisms for ensuring equal access to advanced telecommunications services Transportation and Telecommunications
LR 331	Interim study to examine issues relating to unsolicited electronic mail advertising Transportation and Telecommunications
LR 333	Interim study of the statutory authority for additional construction delivery systems for public schools Government, Military and Veterans Affairs
LR 334	Interim study of the Petroleum Release Remedial Action Act Natural Resources
LR 335	Interim study of the current status of the elevator inspection program in Nebraska Business and Labor
LR 336	Interim study to review the General Principles of Sound Retirement Planning Nebraska Retirement Systems
LR 337	Interim study to review the process by which members are nominated and selected to the Public Employees Retirement Board Nebraska Retirement Systems
LR 338	Interim study of issues relating to Indian tribes in Nebraska General Affairs/Government, Military and Veterans Affairs
LR 339	Interim study of issues relating to hazardous materials incidents

	Government, Military and Veterans Affairs
LR 340	Interim study to examine the train mile tax, the gas tax, and the needs of the state in improving railroad crossings Revenue
LR 341	Interim study to identify all state or federal cemetery facilities available to veterans statewide Government, Military and Veterans Affairs
LR 342	Interim study to review the Employment and Investment Growth Act and the Quality Jobs Act Revenue
LR 343	Interim study of the sales and use tax system Revenue
LR 344	Interim study to examine the taxpayer appeal process through the Tax Equalization and Review Commission Revenue
LR 345	Interim study to examine Nebraska's overall tax structure Revenue
LR 346	Interim study to examine the property tax exemption standards and procedures Revenue
LR 347	Interim study to examine the personal income tax system Revenue
LR 348	Interim study to examine Nebraska's system of corporate occupation tax Revenue
LR 349	Interim study to examine occupation taxes Revenue
LR 350	Interim study of the Lottery Division of the Department of Revenue and the State Lottery Act General Affairs
LR 351	Interim study to examine alternative options for increased availability of centers for independent living for disabled persons Health and Human Services
LR 352	Interim study relating to powers of the Nebr. Power Review Board with respect to holding hearings on matters under its statutory jurisdiction Natural Resources
LR 353	Interim study to examine issues relating to the cost of

	prescription drugs under the state Medicare program and the state medical assistance program Health and Human Services
LR 354	Interim study to examine the implementation of the federal medicaid substance abuse and alcoholism option and the necessary waivers Health and Human Services
LR 355	Interim study of the health plan grievance systems and managed care consumer protection Health and Human Services
LR 356	Interim study of the regulation of child care centers Health and Human Services
LR 357	Interim study of childhood immunizations and vaccines Health and Human Services
LR 358	Interim study relating to early education Education
LR 359	Interim study of the penalties for trespassing on the property of public schools in this state Education
LR 360	Interim study of how state and local sales taxes are collected on motor vehicles sold by an owner compared to vehicles sold by a dealer Revenue
LR 361	Interim study of the extent to which health insurance policies cover prescription contraceptives Banking, Commerce and Insurance
LR 362	Interim study relating to parents being held responsible for actions of their children and determination of compensation Judiciary
LR 363	Interim study to examine quality control in nursing homes, assisted living units, Alzheimer's special care units, and other special care units Health and Human Services
LR 364	Interim study examining issues relating to end-of-life health care Health and Human Services
LR 365	Interim study to examine the shortage of nurses in all levels of health care delivery in our state Health and Human Services
LR 366	Interim study of importation of alcoholic liquor into the state

	for personal use General Affairs
LR 368	Interim study of statutes dealing with ground water transfers Natural Resources
LR 369	Interim study to examine a plan to divert lead and other hazardous materials from landfills and the environment, and costs associated with the plan Natural Resources/Appropriations
LR 370	Interim study to examine a plan to prevent contamination from entering waters of the state, and costs associated with the plan Natural Resources/Appropriations
LR 371	Interim study to address problems associated with use of alcohol and tobacco by persons under the legal age General Affairs
LR 372	Interim study relating to extraterritorial jurisdiction of municipalities Urban Affairs
LR 373	Interim study of the financial responsibilities of Nebraska's public electric utility industry relating to expenses of nuclear power plants Natural Resources
LR 374	Interim study to review the need to provide authority to the Dept. of Environmental Quality to accept voluntary fees paid by applicants for processing of permits Natural Resources
LR 375	Interim study of the financial and environmental implications of the removal of environmental contaminants from buildings Natural Resources
LR 376	Interim study of the powers of the Dept. of Environmental Quality relating to protection of cold water class A streams in Nebraska Natural Resources
LR 377	Interim study to examine the environmental effects of air pollutants from agriculture processing facilities' wastewater treatment lagoons Natural Resources
LR 378	Interim study to examine axle weights, trailer combinations, and length limitations on the trucking industry Transportation and Telecommunications
LR 379	Interim study to examine ways to enhance public awareness

	of the Nebraska Environmental Trust Act and its mission Natural Resources
LR 380	Interim study to examine current laws concerning mountain lions in Nebraska Natural Resources
LR 381	Interim study to examine possibilities of developing a water banking program Natural Resources
LR 382	Interim study of the effects of the use of MTBE in Nebraska on the environment Natural Resources
LR 383	Interim study of solid waste collection services as they relate to the Integrated Solid Waste Management Act Natural Resources
LR 384	Interim study to examine the need to provide the Dept. of Environmental Quality with authority to assess administrative fines Natural Resources
LR 385	Interim study to review state statutes, regulations, and policies on scrap tire management and disposal Natural Resources
LR 386	Interim study to examine creation of an environmental stewardship program Natural Resources
LR 387	Interim study to examine whether the goals of the Integrated Solid Waste Management Act have been reached Natural Resources
LR 388	Interim study to determine an appropriate manner to evaluate the maintenance and replacement needs of K-12 public education buildings Education
LR 389	Interim study to review the need for all passengers in vehicles driven by a provisional driver to wear seat belts Transportation and Telecommunications
LR 390	Interim study to review the need for seat belts to be installed on school buses Transportation and Telecommunications
LR 391	Interim study to examine allowing parents of infants to voluntarily abandon their child without parental prosecution if the child's health is not endangered Judiciary

LR 392	Interim study to review the need for hepatitis B and chicken pox vaccines for children entering day care Health and Human Services
LR 393	Interim study to examine providing privileged communication in domestic violence or sexual abuse cases Judiciary
LR 394	Interim study to examine the need for methamphetamine specific treatment Health and Human Services
LR 395	Interim study to review how current substance abuse treatment dollars are being expended in Nebraska Judiciary
LR 396	Interim study to examine the high incarceration rate of youth in juvenile correctional facilities Judiciary
LR 397	Interim study to examine the effects of environmental tobacco smoke on public health Health and Human Services
LR 398	Interim study to examine the feasibility of establishing an organ and tissue donor registry Health and Human Services
LR 399	Interim study to examine the costs associated with the use of immunosuppressive medications by organ transplant recipients Health and Human Services
LR 400	Interim study of the development of Children's Services Councils in Nebraska Health and Human Services
LR 401	Interim study to determine whether Nebraska should adopt the Uniform Principal and Income Act (1997) in place of Nebraska's version Banking, Commerce and Insurance
LR 402	Interim study of the provisions of the Delayed Deposit Services Licensing Act Banking, Commerce and Insurance
LR 403	Interim study of the licensing of insurance agents and brokers Banking, Commerce and Insurance
LR 404	Interim study of the impact of the enactment of S.900, known as the "Gramm-Leach-Bliley Financial Services Modernization Act" on the regulation of insurance

	Banking, Commerce and Insurance
LR 405	Interim study of the provisions of the Public Funds Deposit Security Act Banking, Commerce and Insurance
LR 406	Interim study to examine what the State of Nebraska can do relative to Gulf War Syndrome Government, Military and Veterans Affairs
LR 407	Interim study to examine creating a program by which certain unwanted infants could be left with a hospital in a confidential and safe manner Health and Human Services
LR 408	Interim study to examine allowing triple-trailer towing in Nebraska Transportation and Telecommunications
LR 409	Interim study of the status of the lodging tax, the amount of revenue it generates, and the manner which that revenue is used Government, Military and Veterans Affairs
LR 410	Interim study to review matters and issues under the jurisdiction of the Urban Affairs Committee Urban Affairs
LR 411	Interim study to examine potential sources of revenue for sanitary and improvement districts Urban Affairs
LR 412	Interim study to examine the status of benefits to be provided to long-term State Patrol retirees Nebraska Retirement Systems
LR 413	Interim study to determine whether cities and villages should adopt some or all of the 2000 International Codes as their building codes Urban Affairs
LR 414	Interim study to up-date the work of a task force study of historic preservation Revenue/Urban Affairs
LR 415	Interim study to determine whether the definition of earnings should be amended relating to bankruptcy proceedings Judiciary
LR 416	Interim study of civil protective custody statutes as they relate to individuals who are intoxicated and dangerous to themselves or others Judiciary

LR 417	Interim study of community corrections in Nebraska Judiciary
LR 418	Interim study of the feasibility of providing compensation from the Nebr. Environmental Trust Fund to individuals engaged in agriculture for the development of buffer strips Natural Resources
LR 419	Interim study to examine the issuance of message plates Transportation and Telecommunications
LR 420	Interim study to examine implementation and funding authority for municipalities to comply with federal mandates requiring development of storm water management programs Natural Resources
LR 421	Interim study of the issues surrounding the prevention of fires near railroad tracks Transportation and Telecommunications
LR 422	Interim study of the issues surrounding the time frame in which claims against railroads are accepted and denied Transportation and Telecommunications
LR 423	Interim study to review the extent to which office and other space is leased to house agencies of state government Appropriations
LR 424	Interim study to review changes in population, traffic, and state and federal funding policies and priorities, relating to the state's highway needs Transportation and Telecommunications
LR 425	Interim study dealing with issues relating to annexation of territory within a Class III school district by another school district Education
LR 426	Interim study to determine appropriate enforcement mechanisms for privately posted speed limits on private property Judiciary
LR 427	Interim study to investigate issues concerning the use of traffic enforcement systems, including photo monitoring devices Judiciary
LR 428	Interim study to examine the statutes relating to theft, fraud, and destruction of property Judiciary

LR 429	Interim study to examine the existing definition of the crime of burglary Judiciary
LR 430	Interim study to examine ways the Tax Equity and Educational Opportunities Support Act can increase local districts' options for offering competitive salaries to teachers Education
LR 431	Interim study to examine issues under the jurisdiction of the Education Committee Education
LR 432	Interim study to reexamine the role of the groups working with educational service units Education
LR 433	Interim study to examine establishing a Nebraska voluntary sentencing guidelines commission Judiciary
LR 434	Interim study to examine the current policy of charging sales tax on postage for delivery of printed materials, especially circulars and fliers Revenue
LR 435	Interim study to examine issues relating to territorial rating for automobile liability insurance Banking, Commerce and Insurance
LR 436	Interim study of joint law enforcement and community projects to reduce gun violence Judiciary
LR 439	Interim study to review funding sources provided to the Dept. of Health and Human Services Regulation and Licensure licensed facilities that provide alternative care Health and Human Services
LR 440	Interim study to examine alternate ways of distributing state aid to municipalities, counties, and natural resources districts Revenue
LR 441	Interim study of the operating structure and legal authority of diversion programs for traffic offenses Judiciary
LR 442	Interim study to review the availability and quality of long-term care for Nebraskans with Alzheimer's disease Health and Human Services
LR 443	Interim study relating to teacher salaries Education/Revenue/Appropriations

LR 444	Interim study to examine the status of school facilities in districts that primarily serve students residing on Indian land Education
LR 445	Interim study to examine funding for the air quality permit program administered by the Dept. of Environmental Quality and caps on emissions fees Natural Resources
LR 446	Interim study of the issues surrounding the management and personnel structure and manpower needs of the Dept. of Roads Transportation and Telecommunications
LR 447	Interim study of the electric utility industry Natural Resources
LR 448	Interim study to examine the decision-making authority relating to the closing of railroad crossings Transportation and Telecommunications
LR 449	Interim study of the public policy and implications of a Pay-for-Stay program in county and state incarceration facilities Judiciary
LR 450	Interim study of the implications of requiring assessment of zoning and land use planners through certification, licensing, or registration systems Government, Military and Veterans Affairs
LR 452	Interim study on the theft of cable and other telecommunications services Transportation and Telecommunications
LR 453	Interim study to examine issues relating to labeling food products containing genetically modified organisms (GMO'S) Agriculture
LR 454	Interim study of issues associated with contract production to safeguard the interests of agricultural producers under contractual agreements Agriculture
LR 455	Interim study to examine the prevalence of "ledger" contracts in livestock procurement Agriculture
LR 456	Interim study to examine the potential of the Internet to enhance farmers ability to access markets Agriculture
LR 457	Interim study to examine creating a compact among

	agricultural states to fund a state agricultural legislative clearinghouse to create a library of common state laws Agriculture
LR 458	Interim study of issues relating to the ownership of agricultural germ plasm and the performing and funding of genetic and biotechnology research Agriculture
LR 459	Interim study to examine retaining some manner of price discrimination protection for Nebraska livestock producers Agriculture
LR 460	Interim study to examine opportunities for producers and processors to collaborate in bringing greater value to agricultural production and enhancing farm income Agriculture
LR 461	Interim study to examine recodification of statutes relating to the Public Service Commission Transportation and Telecommunications
LR 462	Interim study relating to the frequency of reissuance of license plates Transportation and Telecommunications
LR 463	Interim study of the issues surrounding the theft of telecommunications services Transportation and Telecommunications
LR 464	Interim study of the implications of authorizing the state to enforce child care expenses under child support orders Judiciary
LR 465	Interim study of the issues surrounding the funding of railroad crossing safety improvement projects Transportation and Telecommunications
LR 466	Interim study of issues surrounding the liability and legal obligations for railroad crossing safety Transportation and Telecommunications
LR 467	Interim study to examine increasing the application fees and hearing fees charged by the Public Service Commission Transportation and Telecommunications
LR 468	Interim study to examine the recruitment and retention of carrier enforcement officers Transportation and Telecommunications
LR 469	Interim study of the policies, procedures, operation, and fairness of the Dept. of Correctional Services Judiciary

LR 470	Interim study to examine issues relating to the certificate of need program and the growing number of health care facilities	Health and Human Services
LR 471	Interim study to examine health and human services issues	Health and Human Services
LR 472	Interim study of the effect of obesity on costly health complications in both adults and children	Health and Human Services
LR 473	Interim study to examine issues associated with providing a state-of-the-art driver's license and identification card system utilizing digital technology	Transportation and Telecommunications
LR 474	Interim study to examine state policies relating to career preparation and technical education programs in Nebraska	Education
LR 475	Interim study to examine the Farm Labor Contractors Act	Business and Labor
LR 476	Interim study of the federal Workforce Investment Act which will replace the Job Training Partnership Act on July 1, 2000	Business and Labor
LR 477	Interim study of the concept of drug-free workplace legislation for purposes of a workers' compensation insurance premium reduction	Business and Labor
LR 478	Interim study of the issue of genetic discrimination	Business and Labor
LR 479	Interim study of the workers' compensation and unemployment compensation laws of Nebraska	Business and Labor
LR 480	Interim study to examine certain aspects of the Nebraska workers' compensation system	Business and Labor
LR 481	Interim study to examine issues relating to joint custody options	Judiciary
LR 483	Interim study of the impact of the enactment of S. 900, known as the "Gramm-Leach-Bliley Financial Services Modernization Act", on the regulation of financial services by the State of Nebraska	

	Banking, Commerce and Insurance
LR 484	Interim study to examine natural gas service in Nebraska municipalities Urban Affairs
LR 485	Interim study to review statutes governing the structure and operations of various classes of municipalities Urban Affairs
LR 486	Interim study relating to volunteer emergency medical response personnel and volunteer firefighters Business and Labor
LR 487	Interim study relating to the University of Nebraska's commitment to the Institute of Agriculture and Natural Resources, and current and future funding Education/Agriculture
LR 488	Interim study to conduct a costs-benefits analysis of extending subsidized adoption coverage to include less restrictive levels of care for special-needs foster children Health and Human Services
LR 489	Interim study of the recruitment, development, and retention of minority and women faculty members at the University of Nebraska Education

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

SPEAKER KRISTENSEN PRESIDING

GENERAL FILE

LEGISLATIVE BILL 1234. Senator Chambers withdrew his amendment, FA358, found on page 1422.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 14 present and not voting, and 9 excused and not voting.

Senator Jones asked unanimous consent to replace his pending amendment, AM3142, found on page 1409, with a substitute amendment. No objections. So ordered.

Senator Jones withdrew his amendment, AM3142, found on page 1409.

Senator Raikes renewed his substitute pending amendment, AM3181, found on page 1438.

The Raikes amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Senators Robak and Schmitt offered the following amendment:
AM3150

1. Insert the following new sections:

"Section 1. Section 60-601, Revised Statutes Supplement, 1999, is amended to read:

60-601. Sections 60-601 to 60-6,374 and section 2 of this act shall be known and may be cited as the Nebraska Rules of the Road.

Sec. 2. It is unlawful to use nitrous oxide as a fuel additive in any motor vehicle operated on any highway in this state.".

2. Renumber remaining sections, correct internal references, and correct repealer accordingly with this amendment taking effect three calendar months after the adjournment of this legislative session.

The Robak-Schmitt amendment was withdrawn.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Aguilar asked unanimous consent to be excused until he returns. No objections. So ordered.

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 819. Placed on General File as amended.
(Standing Committee amendment, AM3133, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Jim Jensen, Chairperson

REPORTS

The following reports were received by the Legislature:

Investment Finance Authority, Nebraska (NIFA)
Single Family Housing Revenue Bonds, 2000 Series A & B
General Obligation Bonds, 2000 Series G.O.-9

Roads, Department of

Board of Public Roads Classifications and Standards Minutes for February 18, 2000

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1008A. Introduced by Chambers, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1008, Ninety-sixth Legislature, Second Session, 2000.

GENERAL FILE

LEGISLATIVE BILL 1200. Title read. Considered.

The Standing Committee amendment, AM2263, found on page 562, was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1221. Title read. Considered.

The Standing Committee amendment, AM2172, found on page 608, was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 932. Title read. Considered.

The Standing Committee amendment, AM2027, found on page 327, was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Senator Landis withdrew his amendment, AM2848, printed separately and referred to on page 1287.

Advanced to E & R for review with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 901. Title read. Considered.

The Standing Committee amendment, AM2083, found on page 394, was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Senator Schmitt withdrew his amendment, AM2141, found on page 596.

Advanced to E & R for review with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 901A. Title read. Considered.

Advanced to E & R for review with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1008. Title read. Considered.

Senator Chambers renewed his pending amendment, AM2194, found on page 530.

The Chambers amendment was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1086. Title read. Considered.

Senator Landis asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Janssen offered the following amendment:
AM2379
1. On page 17, line 3; and page 19, line 10, strike "seven", show as stricken, and insert "twelve".

The Janssen amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

Senator Wehrbein asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 26 ayes, 0 nays, 18 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 495. Senator Jones withdrew his motion, found on page 1166, First Session, 1999, to indefinitely postpone.

Senators Stuhr and Bohlke withdrew their amendment, AM3032, found on page 1258.

Senator Stuhr offered the following amendment:

AM3193

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Sections 1 to 8 of this act shall be known and may be cited as the Education and Career Preparation Act.

Sec. 2. The Legislature finds that technology is changing the educational and training needs of employees. These changes are found in all areas of employment and are directly related to Nebraska remaining competitive in a global economy. These changes also raise employer expectations of prospective employees from all education levels, including those with a baccalaureate degree. Education and career preparation are critical because students must possess academic, communication, and technological skills needed for employment and continued lifelong learning. Therefor, there is an urgent need for quality career preparation and technical education programs in the secondary schools of Nebraska in order to assist students in:

(1) Acquiring the knowledge and skills necessary for successful entry into a career preparation program at a postsecondary educational institution or into employment;

(2) Developing skills to balance the dimensions of work, family, and community;

(3) Gaining exposure to a wide variety of careers; and

(4) Gaining experience in career paths through supervised work-based experience.

Sec. 3. The purpose of the Education and Career Preparation Act is to study on the academic, technical, and employment skills necessary for success in a career through career preparation and technical education programs such as agricultural education, business education, career guidance and counseling, family and consumer sciences, industrial technology education, marketing education, health occupations education, and diversified occupations.

Sec. 4. The Education and Career Preparation Task Force is created. The task force shall consist of the members appointed pursuant to section 5 of this act. The task force shall report its findings and recommendations to the Clerk of the Legislature and the Education Committee of the Legislature on or before October 1, 2000.

Sec. 5. Members of the Education and Career Preparation Task Force shall be appointed by the Executive Board of the Legislative Council on or before April 15, 2000, and shall include:

(1) One member of the Education Committee of the Legislature;

(2) One member of the Business and Labor Committee of the Legislature;

(3) The Commissioner of Education or his or her designee;

(4) One representative from the Governor's Policy Research Office;

(5) One secondary teacher involved in career preparation and technical education programs;

(6) One teacher who is a member of an association for career preparation and technical education teachers;

(7) One representative from business;

(8) One representative from labor;

(9) The program manager for vocational education at the State Department of Education;

(10) One representative from the State Department of Education who works with student organizations in the area of career preparation and technical education;

(11) One high school student leader involved in student organizations in the area of career preparation and technical education;

(12) One representative of an association of school boards;

(13) One taxpayer from a Class II or III school district;

(14) One representative of an association of school administrators;

(15) One taxpayer from a Class IV or V school district;

(16) One representative from a community college who is involved in career preparation and technical training; and

(17) One representative of a career preparation and technical education teacher education program.

Members of the task force shall be reimbursed for their actual and necessary expenses incurred in carrying out their duties as members of the task force as provided in sections 81-1174 to 81-1177. The member from the Education Committee of the Legislature shall be the chairperson of the task force and shall arrange for the initial and subsequent meetings. The Education Committee of the Legislature, other legislative staff, and the State Department of Education shall provide research and administrative support for the task force. The task force may retain a national consultant to assist with the study.

Sec. 6. The Education and Career Preparation Task Force shall study the following topics and make recommendations for Nebraska policies and potential legislation to the Clerk of the Legislature and the Education Committee of the Legislature:

(1) The purpose, role, and mission of career preparation and technical education programs;

(2) The prevalence of and need for career preparation and technical education programs at both the middle school and high school levels;

(3) The funding for career preparation and technical education programs, curriculum, and equipment at both the middle school and high school levels;

(4) The availability of teachers of career preparation and technical education and the status of career preparation and technical teacher education programs;

(5) The need for career preparation and technical education articulation programs in high schools and postsecondary educational institutions;

(6) The feasibility of operating different delivery systems for career preparation and technical education programs, including a career preparation and technical high school or schools; and

(7) Any other topics related to career preparation and technical education as determined by the task force.

Sec. 7. The Education Committee of the Legislature shall hold at least one public hearing in each congressional district in Nebraska on the recommendations of the Education and Career Preparation Task Force before December 31, 2000.

Sec. 8. The Education and Career Preparation Task Force terminates on December 31, 2000.

Sec. 9. Since an emergency exists, this act takes effect when passed and approved according to law.".

SENATOR CUDABACK PRESIDING

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Suttle asked unanimous consent to be excused. No objections. So ordered.

Senator Stuhr moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

The Stuhr amendment was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Advanced to E & R for review with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 803. Title read. Considered.

Senator Stuhr asked unanimous consent to be excused until she returns. No objections. So ordered.

The Standing Committee amendment, AM2970, printed separately and referred to on page 1373, was considered.

Senator Wickersham withdrew the Wickersham-Schimek amendment, AM3172, printed separately and referred to on page 1438.

Senator Crosby asked unanimous consent to be excused until she returns.

No objections. So ordered.

Senator Schimek requested to pass over LB 803.

Senators Kremer and Tyson asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 1138. Title read. Considered.

The Standing Committee amendment, AM2464, found on page 747, was considered.

Senators Wickersham, Landis, Coordsen, Hartnett, and Raikes offered the following amendment to the Standing Committee amendment:
AM3187
(Amendments to Standing Committee amendments, AM2464)

1. Strike amendment 3 and insert the following new amendments:

"3. On page 8, line 25, strike 'thirty million' and insert 'twenty-nine million five hundred thousand'; in line 26 strike 'sixteen million' and insert 'fifteen million one hundred thousand'; and in line 27 strike 'four million six' and insert 'two million three'.

4. On page 14, line 25, strike 'seventy-nine hundredths' and insert 'one and seven-tenths'.

5. On page 15, strike lines 14 through 16 and insert 'calculated by the Department of Revenue from resident individual income tax information for the tax year that is two years prior to the beginning of the fiscal year in which the aid will be distributed. The department shall determine the federal adjusted gross income per exemption for each resident individual return for each county and for the state. The number of individuals in poverty for each county shall be the total number of exemptions on returns for each county for which the federal adjusted gross income per exemption is fifty percent or less of the state average federal gross income per exemption.'.".

2. Renumber the remaining amendments accordingly.

PRESIDENT MAURSTAD PRESIDING

Pending.

Senator Bourne asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 349. Title read. Considered.

Senator Engel asked unanimous consent to be excused. No objections. So ordered.

Senator Bromm renewed his pending amendment, AM2551, found on page 809.

The Bromm amendment was adopted with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 25 ayes, 0 nays, 14 present and not voting, and 10 excused and not voting.

Senators Aguilar and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

LEGISLATIVE BILL 1304. Title read. Considered.

The Standing Committee amendment, AM2388, found on page 677, was adopted with 26 ayes, 0 nays, 12 present and not voting, and 11 excused and not voting.

Senator Schmitt asked unanimous consent to be excused. No objections. So ordered.

Senator Janssen withdrew his amendment, AM3068, found on page 1293.

Senator Janssen offered the following amendment:
AM3186
1. On page 3, strike beginning with the underscored period in line 2 through "fund" in line 4.

The Janssen amendment was adopted with 26 ayes, 0 nays, 11 present and not voting, and 12 excused and not voting.

Advanced to E & R for review with 26 ayes, 0 nays, 12 present and not voting, and 11 excused and not voting.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

LR 438 Thursday, April, 6, 2000 8:45 a.m.

(Signed) Curt Bromm, Chairperson

AMENDMENT - Print in Journal

Senator Raikes filed the following amendment to LB 1213:
AM3138

(Amendments to Final Reading copy)

1. On page 27, line 6, after "a" insert "primary, general, or"; in line 17 after "shall" insert "place the question on the primary or general election ballot or"; in line 18 strike "within fifteen days" and show as stricken; in line 20 after "Act" insert "or section 77-3444" and after "costs" insert "for a special election"; and in line 21 strike "The issue", show as stricken, and insert "A vote to exceed the applicable allowable growth percentage".

GENERAL FILE

LEGISLATIVE BILL 26. Title read. Considered.

Senators Thompson and Preister asked unanimous consent to be excused until they return. No objections. So ordered.

The Standing Committee amendment, AM1984, found on page 564, was adopted with 25 ayes, 0 nays, 12 present and not voting, and 12 excused and not voting.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 26A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 1410. Title read. Considered.

The Standing Committee amendment, AM2297, found on page 573, was adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 1410A. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 1251. Title read. Considered.

The Standing Committee amendment, AM2371, found on page 641, was

adopted with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

Advanced to E & R for review with 26 ayes, 1 nay, 15 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 825. Title read. Considered.

Senator Smith asked unanimous consent to be excused. No objections. So ordered.

The Standing Committee amendment, AM2040, found on page 451, was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 825A. Title read. Considered.

Advanced to E & R for review with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Senator Brashear asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 956. Title read. Considered.

Advanced to E & R for review with 30 ayes, 1 nay, 9 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 1361. Title read. Considered.

Advanced to E & R for review with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

MOTION - Suspend Rules

Senator Bohlke moved to suspend the rules, Rule 3, Sec. 13, to cancel the hearing for the confirmation of Earl J. Scudder scheduled to be heard at 1:30 p.m. today, March 30, 2000.

The Bohlke motion to suspend the rules prevailed with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

MESSAGES FROM THE GOVERNOR

March 30, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 1448e, 1214e, 1214Ae, 1215e, 1216e, 1328e, 1369, 1379, 1379Ae, 213e, 929, 1085e, 1135, and 1197e were received in my office on March 24, 2000; and Engrossed Legislative Bill 1349 was received on March 27, 2000.

These bills were signed by me on March 30, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

March 30, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Senators:

With this letter, I am returning LB 1217 with line-item reductions. The General Fund amounts vetoed in LB 1217 total 8.8 million dollars for the current 1999-2001 biennium and represent a reduction of an additional 9.9 million dollars of continuing obligations for the 2001-2003 biennium. In addition, I have adjusted LB 1217 with a reduction of 1.43 million General Fund dollars in recognition of LB 812 and LB 812A, which are waiting Select File consideration.

Passage of a number of pending legislative bills with fiscal impact could place the State in a serious situation. While the spending picture for the current biennium may appear to be within limits, the on-going impact of our decisions, unless carefully contained, would most certainly place the State in a serious deficit status as we prepare our next biennial budget. I firmly believe that we should follow a responsible course which not only complies with the statutory minimum General Fund reserve for the 1999-2001 biennium, but also plans for at least the same financial position in the following 2001-2003 biennium. The adjustments to LB 1217, therefore, contain the following reductions.

The additional General Funds for mental health provider rate increases have been reduced by 2 million dollars. One million new dollars remain in the budget for this purpose. Of the 1.5 million dollars added for Region VI hospital reimbursements, 750,000 dollars have been left in place for FY1999-00 to provide one-time relief. The funds appropriated for the additional sex-offender beds at the Lincoln Regional Center remain in the budget. Completion of this new capacity for specialized treatment will relieve overcrowding at the Norfolk Regional Center and free beds for Region VI placements on a more timely basis.

I have also vetoed the additional 150,000 dollars appropriated by the Legislature for FY2000-01 to the Nebraska Library Commission for state assistance for public library service. This veto will maintain the amount of state funding for the Libraries for the 21st Century campaign at 550,000 dollars each year, the amount approved last year for the current biennium.

The 3 million dollar per year deficit appropriation for the University of Nebraska Health Insurance Trust Fund has been reduced by 1.25 million dollars in each year of the biennium. The Board of Regents has contracted for an analysis of the University Health Insurance Program and Trust Fund. As the situation exists, there is no current deficit in the University's Health Insurance Trust Fund. Current projections indicate that the University will first begin to utilize Trust Fund reserves late in FY2000-01. This matter can be further reviewed by the Board of Regents and reconsidered during the next legislative session.

The 500,000 dollars added to replace Natural Resources Enhancement Fund revenue lost due to the expiration of the commercial fertilizer fee have been vetoed. An estimated 2 million dollars will remain available to the natural resource districts from the fertilizer fee in FY2000-01.

Other appropriations were reduced as follows: 900,000 dollars in FY1999-00 and 987,000 dollars in FY2000-01 for Sheldon Memorial Art Gallery renovations; 400,000 dollars for Mass Transit Aid in FY2000-01; 100,000 dollars in FY2000-01 for the Nebraska Transit and Rail Advisory Council study; and the 500,000 dollars for Centennial Mall improvements for FY2000-01.

The issue of a state plan for assessment and reporting of public school performance in Nebraska is currently awaiting Select File consideration by the Legislature in LB 812 and LB 812A. LB 812A in its current form includes 1.43 million dollars to fund the provisions of LB 812. In light of the funding provided in LB 812A, I have reduced 1.43 million General Fund dollars earmarked in LB 1217 for an assessment and reporting system. I anticipate that LB 812A will continue to follow LB 812 and that it will remain as a vehicle for the necessary appropriations to implement a statewide assessment and report system.

I appreciate the hard work the members of the Appropriations Committee and the Legislature have invested in the budget thus far. Your restraint is needed as we work together to fashion a final budget which meets the needs of Nebraskans through fiscal year 2001 but does not leave us in a tenuous position as we look to the new 2001-2003 biennium. I urge you to sustain these reductions to LB 1217.

Sincerely,
(Signed) Mike Johanns
Governor

Summary of LB 1217 Line-Item Reductions

Current Biennium and Following Biennium

Agency	Description	FY1999-00	FY2000-01	FY2001-02	FY2002-03
HHS-Finance	Increase Mental Health Provider Rates		(2,000,000)	(2,000,000)	(2,000,000)
HHS-Finance	Region VI Hospital Reimbursement, MH Services	(750,000)			
Roads	Local Transit Authorities Aid		(400,000)	(400,000)	(400,000)
Roads	Nebraska Transit and Rail Advisory Council Study		(100,000)		
Library Comm.	Aid to Local Libraries		(150,000)	(150,000)	(150,000)
University	Employee Health Care Costs	(1,250,000)	(1,250,000)	(1,250,000)	(1,250,000)
University	Sheldon Memorial Art Gallery Renovations	(900,000)	(987,000)	(1,800,000)	
Nat. Resources	Natural Resources Enhancement Fund		(500,000)		
DAS	Centennial Mall Improvements		(500,000)	(500,000)	
	Fiscal Year Totals	**(2,900,000)**	**(5,887,000)**	**(6,100,000)**	**(3,800,000)**
	Biennium Totals		**(8,787,000)**		**(9,900,000)**
	Four-Year Total				**(18,687,000)**

	FY2000-01	FY2001-02	FY2002-03
In addition, the following adjustment is made to Education - Statewide K-12 Assessment and Reporting to eliminate duplicate financing in LB 1217 that will be provided in LB 812A.	(1,430,000)	(1,430,000)	(1,430,000)

STANDING COMMITTEE REPORT
Health and Human Services

LEGISLATIVE BILL 797. Placed on General File as amended. (Standing Committee amendment, AM2173, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

(Signed) Jim Jensen, Chairperson

AMENDMENTS - Print in Journal

Senators Schimek and Wickersham filed the following amendment to LB 1021:
AM3201

(Amendments to Standing Committee amendments, AM2841)

1. Strike the original sections and insert the following new sections:

"Section 1. Section 49-1401, Revised Statutes Supplement, 1999, is amended to read:

49-1401. Sections 49-1401 to 49-14,141 and sections 4 and 6 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. Section 49-1483, Reissue Revised Statutes of Nebraska, is amended to read:

49-1483. (1) Every registered lobbyist for each of his or her principals, and every principal employing a registered lobbyist, shall file a separate statement for each calendar quarter with the Clerk of the Legislature within fifteen days after the end of each calendar quarter.

Each statement shall show the following:

(a) The total amount received or expended directly or indirectly for the purpose of carrying on lobbying activities, with the following categories of expenses each being separately itemized: (i) Miscellaneous expenses; (ii) entertainment, including expenses for food and drink as provided in subdivision (2)(b) of this section; (iii) lodging expenses; (iv) travel expenses; ~~and (v) lobbyist fees for lobbyist services~~ (v) lobbyist compensation, except that when a principal retains the services of a person who has only part-time lobbying duties, only the compensation paid which is reasonably attributable to influencing legislative action need be reported; ~~and~~ (vi) lobbyist expense reimbursement; (vii) admissions to a state-owned facility or a state-regulated industry or event as provided in subdivision (2)(b) of this section; and (viii) office expenses, if reported;

(b) A detailed statement of any money which is loaned, promised, or paid by a lobbyist, a principal, or anyone acting on behalf of either to an official in the executive or legislative branch or member of such official's staff. The detailed statement shall identify the recipient and the amount and the terms of the loan, promise, or payment; and

(c) The total amount expended for gifts, other than admissions to a state-owned facility or a state-regulated industry or event, as provided in subdivision (2)(b) of this section.

(2)(a) The statement is not required to include office expenses.

(b) For purposes of entertainment expenses reported under subdivision (1)(a)(ii) of this section, admissions reported under subdivision (1)(a)(vii) of this section, and gifts reported under subdivision (1)(c) of this section, the statement shall disclose the aggregate expenses for such entertainment, admissions, and gifts for each of the following categories of elected officials: Members of the Legislature; and officials in the executive branch of the state. For purposes of this subdivision, entertainment expenses do not include the cost of events at which the attendance of a member of the Legislature or an official in the executive branch of the state is not the primary reason for the event.

(c) The lobbyist shall also file any changes or corrections to the information set forth in the registration required pursuant to section 49-1480 so as to reflect the correctness of such information as of the end of each calendar quarter for which such statement is required by this section.

(3) If a lobbyist does not expect to receive lobbying receipts from or does not expect to make lobbying expenditures for a principal, the quarterly statements required by this section as to such principal need not be filed by the lobbyist if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A lobbyist exempt from filing quarterly statements pursuant to this section shall (a) file a statement of activity pursuant to section 49-1488 and (b) resume or commence filing quarterly statements with regard to such principal starting with the quarterly period the lobbyist receives lobbying receipts or makes lobbying expenditures for such principal.

(4) If a principal does not expect to receive lobbying receipts or does not expect to make lobbying expenditures, the quarterly statements required pursuant to this section need not be filed by the principal if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A principal exempt from filing quarterly statements pursuant to this section shall commence or resume filing quarterly statements starting with the quarterly period the principal receives lobbying receipts or makes lobbying expenditures.

(5) For purposes of ~~this section~~ sections 49-1480 to 49-1492, calendar quarter shall mean the first day of January

through the thirty-first day of March, the first day of April through the thirtieth day of June, the first day of July through the thirtieth day of September, and the first day of October through the thirty-first day of December.

Sec. 3. Section 49-1490, Reissue Revised Statutes of Nebraska, is amended to read:

49-1490. (1) No principal, lobbyist, or person acting on behalf of either shall within one calendar month give any gift with a value of more than fifty dollars to the following:

(a) An official or a member of the official's staff in the executive branch of state government;

(b) An official or a member of the official's staff in the legislative branch of state government; or

(c) A member of the immediate family of an official in the executive or legislative branch of state government.

(2) No official or member of the official's staff in the executive or legislative branch of state government or member of the official's immediate family shall within one calendar month accept from a principal, lobbyist, or person acting on behalf of either any gift with a value of more than fifty dollars. ~~(1) A principal, lobbyist, or anyone acting on behalf of either shall not give a gift to any official or member of any official's staff in the executive or legislative branch of state government or any member of an official's immediate family. Any person who knowingly gives a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

~~(2) An official or any other person on his or her behalf in the legislative or executive branch of state government or a member of such official's staff or immediate family shall not solicit or accept a gift in violation of subsection (1) of this section. Any person who knowingly solicits or accepts a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

(3) As used in sections 49-1480 to 49-1492 and section 4 of this act, gift shall mean a payment, subscription, advance, forbearance, or honorarium or the rendering or deposit of money, services, or anything of value, ~~the value of which exceeds fifty dollars in any one-month period,~~ unless consideration of equal or greater value is received therefor. Gift shall not include:

(a) A campaign contribution otherwise reported as required by law;

(b) A commercially reasonable loan made in the ordinary course of business;

(c) A gift received from a member of the person's immediate family, a relative, or the spouse of any such relative;

(d) A breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption; or

(e) ~~Admissions to state-regulated industries, facilities,~~

~~or events; or~~

~~(f)~~ The occasional provision of transportation within the State of Nebraska to an officeholder.

(4) A gift of an admission to a state-owned facility or a state-regulated industry or event may be given regardless of value.

(5) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 4. (1) Any agency, political subdivision, or publicly funded postsecondary educational institution which gives a gift of an admission to a facility or event to an official or a member of the official's staff in the executive branch of state government, an official or a member of the official's staff in the legislative branch of state government, or a member of the immediate family of an official in the executive or legislative branch of state government shall report the gift on a form prescribed by the commission.

(2) The report shall be filed with the Clerk of the Legislature within fifteen days after the end of the calendar quarter in which the gift is given. The report shall include the following:

(a) The identity of the agency, political subdivision, or publicly funded postsecondary educational institution;

(b) A description of the gift;

(c) The value of the gift; and

(d) The name of the recipient of the gift and the following:

(i) If the recipient is an official in the executive or legislative branch of state government, the office held by the official and the branch he or she serves;

(ii) If the recipient is a member of an official's staff in the executive or legislative branch of state government, his or her job title and the name of the official; or

(iii) If the recipient is a member of the immediate family of an official in the executive or legislative branch of state government, his or her relationship to the official and the name of the official.

(3) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 5. Section 49-1496, Reissue Revised Statutes of Nebraska, is amended to read:

49-1496. (1) The statement of financial interests filed pursuant to sections 49-1493 to 49-14,104 shall be on a form prescribed by the commission.

(2) Individuals required to file under sections 49-1493 to 49-1495 shall file the following information for themselves:

(a) The name and address of and the nature of association with any business with which the individual was associated and any entity in which a position of trustee was held during the preceding year;

(b) The name, address, and nature of business of a person, including a government, political subdivision, or body corporate, from whom any income in the value of one thousand dollars or more was received during the preceding year and the nature of the services rendered. If income results from employment by, operation of, or participation in a proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person, the person may list the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person as the source and not the patrons, customers, patients, or clients of the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person;

(c) A description, but not the value, of the following, if the fair market value thereof exceeded one thousand dollars: The nature and location of all real property in the state, except the residence of the individual; the depository of checking accounts and savings accounts; the issuer of stocks, bonds, and government securities; and a description of all other property owned or held for the production of income, except property owned or used by a business with which the individual was associated;

(d) The name and address of each creditor to whom the value of one thousand dollars or more was owed or guaranteed by the filer or a member of the filer's immediate family. Accounts payable, debts arising out of retail installment transactions or from loans made by financial institutions in the ordinary course of business, loans from a relative, and land contracts that have been properly recorded with the county clerk or the register of deeds need not be included;

(e) The name, address, and occupation or nature of business of any person from whom a gift in the value of more than ~~one hundred~~ fifty dollars was received, a description of the gift, the monetary value category of the gift, and the circumstances of ~~each~~ the gift. For purposes of this subdivision, the monetary value of gifts shall be categorized based on a good faith estimate of the individual required to report as follows: Category (i): $50.01 - $200; category (ii): $200.01 - $500; category (iii): $500.01 - $1,000; and category (iv): $1,000.01 or more. The definition of gift is as set forth in section 49-1423; and

(f) Such other information as the person required to file the statement or the commission deems necessary, after notice and hearing, to carry out the purposes of the Nebraska Political Accountability and Disclosure Act.

Sec. 6. The commission shall adopt and promulgate rules and regulations prior to January 1, 2001, to carry out the changes made by this legislative bill.

Sec. 7. Sections 6 and 7 of this act become operative on their effective date. The other sections of this act become operative on January 1, 2001.

Sec. 8. Original sections 49-1483, 49-1490, and 49-1496, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1999, are repealed.".

Senators Lynch and Janssen filed the following amendment to LB 659: (Amendment, AM3206, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Kristensen filed the following amendment to LR 6CA:
AM3207

(Amendments to Final Reading copy)

1. On page 1, line 14, strike "A" and insert "Except as otherwise provided by law, a".

UNANIMOUS CONSENT - Add Cointroducers

Senators Aguilar and Lynch asked unanimous consent to have their names added as cointroducers to LR 487. No objections. So ordered.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 833, 1348, and 1348A.

Enrollment and Review Change to LB 833

The following changes, required to be reported for publication in the Journal, have been made:
ER9150

1. In the Dierks amendment, AM3063:

a. On page 3, line 24, the stricken "any" has been reinstated;

b. On page 7, line 23; and page 8, line 4, "exam" has been struck and "examination" inserted; and

c. On page 8, lines 15 and 16, the matter beginning with "immediate" through "indirect" has been struck and "immediate supervision, direct supervision, or indirect supervision" inserted.

2. On page 1, the matter beginning with "livestock" in line 1 through line 2 and all amendments thereto have been struck and "veterinary medicine; to amend sections 71-1,153, 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999; to change and eliminate provisions of the Nebraska Veterinary Practice Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999." inserted.

Enrollment and Review Change to LB 1348

The following changes, required to be reported for publication in the Journal, have been made:
ER9151

1. In the Connealy et al. amendment, AM3131:
   a. On page 3, line 10, "agriculture" has been struck and "agricultural" inserted; and in line 20 "and" has been struck and "in order" inserted; and
   b. On page 7, line 8, "for grants" has been inserted after "amounts".
2. On page 1, line 3, the second "Nebraska" has been struck; and in line 4 "and Rural Opportunities" has been struck and "Opportunities and Value-Added Partnerships" inserted.

(Signed) Adrian M. Smith, Chairperson

NOTICE OF COMMITTEE HEARING
Education

Thursday, March 30, 2000 (cancel) 1:30 p.m.
Coordinating Commission for Postsecondary Education
Earl Scudder

(Signed) Ardyce L. Bohlke, Chairperson

VISITORS

Visitors to the Chamber were 14 seniors and teacher from Sterling High School; Cassandra and Mariah Clark from Gretna; 40 fourth grade students and teachers from St. Wenceslaus Elementary School, Wahoo; 50 students and teachers from Weeping Water; 46 fourth grade students and teachers from Ft. Calhoun Elementary School; 10 fourth grade students and teacher from Trumbull Elementary School; 80 fourth grade students and teacher from Ashland-Greenwood Schools, Ashland; 63 fourth and fifth grade students and teachers from Grant Elementary School, Fremont; and 25 kindergarten through eleventh grade students and teachers from Lewis and Clark Home School Group, South Sioux City.

The Doctor of the Day was Dr. Christi Keim from Lincoln.

ADJOURNMENT

At 2:44 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Monday, April 3, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTY-FOURTH DAY - APRIL 3, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 3, 2000

PRAYER

The prayer was offered by Pastor Steve Todd, Horizons Community Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Beutler, Bromm, Brown, Byars, Crosby, Dierks, Engel, Kiel, Kristensen, Lynch, D. Pederson, Quandahl, Redfield, Robak, and Wehrbein who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-third day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bill was correctly engrossed: LB 1119.

Enrollment and Review Change to LB 1119

The following changes, required to be reported for publication in the Journal, have been made:
ER9152
1. In the E & R amendments, AM7245:
a. Sections 42 and 43 have been renumbered as sections 43 and 42 respectively; and
b. On page 37, line 11, "Act" has been struck.

2. On page 1, line 8, "severability" has been struck and "operative dates" inserted; and in line 9 "operative dates" has been struck and "severability" inserted.

(Signed) Adrian M. Smith, Chairperson

MESSAGES FROM THE GOVERNOR

March 30, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Nebraska Information Technology Commission:

APPOINTEE:
H. H. "Hod" Kosman, 190498 County Road G, Scottsbluff NE 69361

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

March 31, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Board of Emergency Medical Services:

APPOINTEE:
Katherine Vasa, 2453 County Rd 1, Weston NE 68070

The aforementioned name is respectfully submitted for your consideration.

Sincerely,

(Signed) Mike Johanns
Governor

vfp/
Attachment

March 31, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Nebraska Information Technology Commission:

APPOINTEE:
Pamela Vanlandingham, 16647 X St, Omaha NE 68135

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment

March 31, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individual has been appointed as a member of the Accountability and Disclosure Commission:

APPOINTEE:
Napoleon Agonor, 11232 Erskine St, Omaha NE 68164

The aforementioned name is respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

Attachment

March 31, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Contingent upon your approval, the following individuals have been appointed as members of the State Foster Care Review Board:

APPOINTEES:
Sheila Heieck, 105 S 29, Omaha NE 68154
Burrell Williams, 1904 Spencer, Omaha NE 68110
Carole Douglas, 7500 South St #9, Lincoln NE 68506
*Linda Lund, Yacht Club Estates #26, Ogallala NE 69153
*Susan Gilmore, PO Box 8, Carroll NE 68723

The aforementioned names are respectfully submitted for your consideration.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/
Attachment
*Reappointment

AMENDMENT - Print in Journal

Senator Tyson filed the following amendment to LR 437:
AM3195

1. Strike "WHEREAS" paragraphs 2 and 3 and insert

"WHEREAS, numerous Nebraska men, women, and children have been critically wounded and killed by the action of criminals; and

WHEREAS, law enforcement agencies' failure to consistently enforce the 22,000 firearms laws has shocked the conscience of the nation; and"; and in the last "WHEREAS" paragraph strike "devote their lives to protecting" and insert "protect".

2. In "RESOLVED" paragraph 2 strike "nonauthorized users" and insert "felons"; and strike "RESOLVED" paragraph 4 and insert

"4. That the Legislature urges broad community support for the National Rifle Association's "Eddie Eagle" gun safety program.".

MOTIONS - Approve Appointments

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 1423: Health and Human Services Partnership Council - Christopher Rodgers; Commission for the Deaf and Hard of Hearing - Tricia Tighe, Margaret Coleman, and Esther Seanor; and Excellence in Health Care Council - Cordelia Okoye.

Voting in the affirmative, 29:

Aguilar
Chambers
Hartnett
Kremer
Price
Thompson
Baker
Connealy
Hudkins
Landis
Raikes
Tyson
Bourne
Cudaback
Janssen
Lynch
Schmitt
Vrtiska
Bruning
Dickey
Jensen
Pedersen, Dw.
Smith
Wickersham
Byars
Engel
Jones
Preister
Suttle

Voting in the negative, 0.

Present and not voting, 8:

Bohlke
Schimek
Brashear
Schrock
Coordsen
Stuhr
Hilgert
Matzke

Excused and not voting, 12:

Beutler
Kiel
Robak
Bromm
Kristensen
Wehrbein
Brown
Pederson, D.
Crosby
Quandahl
Dierks
Redfield

The appointments were confirmed with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 1423: Board of Emergency Medical Services - Robert Olson; and Excellence in Health Care Council - John Klosterman.

Voting in the affirmative, 26:

Aguilar
Connealy
Hilgert
Preister
Smith
Baker
Coordsen
Hudkins
Raikes
Stuhr
Bourne
Cudaback
Jones
Schimek
Suttle
Bruning
Dickey
Kremer
Schmitt
Thompson
Byars
Hartnett
Pedersen, Dw.
Schrock
Tyson

Vrtiska

Voting in the negative, 1:

Chambers

Present and not voting, 9:

Bohlke Brashear Engel Janssen Jensen
Landis Matzke Price Wickersham

Excused and not voting, 13:

Beutler Bromm Brown Crosby Dierks
Kiel Kristensen Lynch Pederson, D. Quandahl
Redfield Robak Wehrbein

The appointments were confirmed with 26 ayes, 1 nay, 9 present and not voting, and 13 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 973A. Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 925. The Suttle pending amendment, AM2504, found on page 797 and considered on page 1441, was renewed.

Senators Smith and Engel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion failed with 19 ayes, 11 nays, and 19 not voting.

Senators Bruning and Jensen asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR CROSBY PRESIDING

Senator Suttle moved for a call of the house. The motion prevailed with 24 ayes, 0 nays, and 25 not voting.

Senator Suttle requested a roll call vote on her amendment.

Voting in the affirmative, 20:

Aguilar Bohlke Bourne Brown Byars

Connealy Crosby Hartnett Hilgert Janssen
Kiel Lynch Preister Price Raikes
Robak Smith Suttle Thompson Wehrbein

Voting in the negative, 17:

Baker Brashear Bromm Coordsen Dickey
Hudkins Jones Kremer Landis Matzke
Pedersen, Dw. Pederson, D. Redfield Schrock Tyson
Vrtiska Wickersham

Present and not voting, 5:

Beutler Chambers Dierks Schimek Schmitt

Excused and not voting, 7:

Bruning Cudaback Engel Jensen Kristensen
Quandahl Stuhr

The Suttle amendment lost with 20 ayes, 17 nays, 5 present and not voting, and 7 excused and not voting.

Pending.

The Chair declared the call raised.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1234A. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1234, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1022A. Introduced by Robak, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1022, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1027A. Introduced by Robak, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1027, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 1003A. Introduced by Schrock, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1003, Ninety-sixth Legislature, Second Session, 2000.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 1279:
AM3215

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 21-328, Reissue Revised Statutes of Nebraska, is amended to read:

21-328. Any corporation paying the fees imposed by section 21-303 or 21-306 may claim a refund if the payment of such fee was invalid for any reason. The corporation shall file a written claim and any evidence supporting the claim within ~~two years after payment of such fee~~ one year after the date the fee was due. The Secretary of State shall either approve or deny the claim within thirty days after such filing. Any approved claims shall be paid out of the General Fund. Appeal of a decision by the Secretary of State shall be in accordance with the Administrative Procedure Act.

Sec. 2. Original section 21-328, Reissue Revised Statutes of Nebraska, is repealed.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.".

APPROPRIATIONS COMMITTEE REPORT ON LB 1217

Pursuant to Rule 6, Section 14, the Appropriations Committee has examined the Governor's line item vetoes contained in LB1217.
Total General Fund appropriation vetoes (reductions) contained in the bill are as follows:

Item	**FY1999-00**	**FY2000-01**	**Future**
K-12 Assessment/Reporting		$1,430,000	
Mental Health provider rates		$2,000,000	
Region VI hospital reimbursement	$ 750,000		
Local Transit Authority Aid		$ 400,000	
NE Transit/Rail Adv. Council Study		$ 100,000	

Aid to Local Libraries		$ 150,000	
U of N health care costs	$1,250,000	$1,250,000	
Sheldon Art Gallery renovations	$ 900,000	$ 987,000	$1,800,000
Natural Resources Enhancement Fund		$ 500,000	
Centennial Mall improvements		$ 500,000	$ 500,000
Totals	$2,900,000	$7,317,000	$2,300,000

It should be noted that the Governor's veto of K-12 Assessment and Reporting anticipates funding will be determined on Legislative action yet to be taken on LB 812 and LB 812A.

Other vetoes (reductions) contained in the bill are as follows:
Transfer
From the State Employees Insurance Fund $ 75,000
To Health and Life Benefit Admin Cash Fund

The Appropriations Committee recommends the following overrides:

Item	FY1999-00	FY2000-01	Future
Mental Health provider rates		$2,000,000	
Region VI hospital reimbursement	$ 750,000		
U of N health care costs	$1,250,000		
Sheldon Art Gallery renovations		$ 987,000	$1,800,000
Centennial Mall improvements		$ 500,000	
Totals	$2,000,000	$3,487,000	$1,800,000

(Signed) Roger R. Wehrbein, Chair
Appropriations Committee

GENERAL FILE

LEGISLATIVE BILL 925. Senator Hilgert renewed his pending amendment, AM2593, found on page 923.

The Hilgert amendment was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

PRESIDENT MAURSTAD PRESIDING

Senator Wickersham renewed his pending amendment, AM2707, found on page 949.

Senators Kristensen and Coordsen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Wickersham moved for a call of the house. The motion prevailed with 14 ayes, 1 nay, and 34 not voting.

Senator Wickersham requested a roll call vote on his amendment.

Voting in the affirmative, 25:

Bohlke	Bromm	Bruning	Chambers	Dickey
Dierks	Hartnett	Hudkins	Janssen	Jensen
Jones	Kremer	Matzke	Pederson, D.	Price
Raikes	Redfield	Robak	Schimek	Schmitt
Schrock	Stuhr	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 16:

Aguilar	Baker	Bourne	Brashear	Brown
Byars	Connealy	Crosby	Hilgert	Landis
Lynch	Pedersen, Dw.	Preister	Suttle	Thompson
Tyson				

Present and not voting, 3:

Beutler	Cudaback	Kiel

Excused and not voting, 5:

Coordsen	Engel	Kristensen	Quandahl	Smith

The Wickersham amendment was adopted with 25 ayes, 16 nays, 3 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Brown renewed her pending amendment, AM2693, found on page 949.

Senator Brown withdrew her amendment.

Pending.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 1003. Placed on Select File as amended.
(E & R amendment, AM7252, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1067. Placed on Select File as amended.
E & R amendment to LB 1067:
AM7250

1. In the Standing Committee amendments, AM2614:

a. On page 3, line 9, after "rate" insert "to be"; and

b. On page 4, lines 12 and 13; and page 6, line 14, strike "in the amount" and insert "as".

2. On page 1, line 1, strike "66-482 and"; in line 2 strike "to" and insert ", 66-4,142, and"; and in line 6 strike "to" and insert ", 77-502, and".

LEGISLATIVE BILL 1167. Placed on Select File as amended.
(E & R amendment, AM7264, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1167A. Placed on Select File.

LEGISLATIVE BILL 1234. Placed on Select File as amended.
E & R amendment to LB 1234:
AM7251

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. (1) The Ethanol Pricing Task Force is created. The task force shall examine the practices, policies, and methods by which ethanol prices are set and shall include a comparison of ethanol prices to other motor fuel prices in Nebraska. The task force shall collect data on price differences and how they impact the marketing and sale of ethanol. On or before December 1, 2000, the task force shall file a written report with the Legislature with its findings and recommendations concerning ethanol pricing practices.

(2) The task force shall consist of nine members as follows:

(a) A representative of petroleum marketers;
(b) A representative of motor fuel retailers;
(c) A representative of the ethanol industry;
(d) An agricultural producer;
(e) A member of the Nebraska Ethanol Board;
(f) A representative of the Motor Fuel Tax Enforcement and Collection Division of the Department of Revenue;

(g) One person representing environmental interests; and

(h) Two members of the Legislature, including the chairperson of the Natural Resources Committee.

The Governor shall appoint members in subdivisions (a) through (g) of this subsection. The Executive Board of the Legislative Council shall appoint members in subdivision (h) of this subsection. Members shall be reimbursed for their actual and necessary expenses incurred in the performance of their official duties as provided in sections 81-1174 to 81-1177.

(3) The Executive Board of the Legislative Council shall provide the task force with necessary equipment, supplies, and staff support.

(4) The task force shall terminate on December 31, 2000.

Sec. 2. On or after the effective date of this act, a retailer shall not offer for sale in this state any petroleum product that contains more than one percent of methyl tertiary butyl ether (MTBE) by volume. For purposes of this section, retailer has the same definition as in section 66-482.

Sec. 3. The Legislature finds that (1) existing monitoring of ground water quality performed by natural resources districts is excellent and deserves recognition, (2) substantial efforts have been undertaken by the Department of Environmental Quality to monitor surface water quality, and (3) it is within the state's capacity to develop a comprehensive, integrated statewide water quality monitoring system.

Sec. 4. The Department of Environmental Quality shall conduct a comprehensive study of water quality monitoring in Nebraska pursuant to section 5 of this act. In preparing Phase I of the study, the department shall work with and consult an advisory committee consisting of a designee from each of the following: The American Consulting Engineers Council of Nebraska, the Department of Agriculture, the Nebraska Natural Resources Commission, the Department of Health and Human Services Regulation and Licensure, the Department of Natural Resources, the League of Nebraska Municipalities, the Nebraska Association of Resources Districts, the Game and Parks Commission, the United States Geological Survey, and the University of Nebraska. The advisory group for Phase II of the study shall include the members listed in this section for Phase I and be expanded to include all groups found by the Department of Environmental Quality to be significant stakeholders in the water quality area. Phase I of the study shall be presented to the Natural Resources Committee of the Legislature on or before December 1, 2000, and Phase II shall be presented to the committee on or before June 30, 2001.

Sec. 5. (1) The study required by section 4 of this act shall consist of two phases. Phase I of the study shall consist of an assessment of Nebraska's current water quality monitoring efforts and shall address, but not be limited to, the following:

(a) A detailed description of all current water quality monitoring efforts at the state and local levels, including scope, location, timing, procedure, number of personnel, state agency or local government involved, and funding; and

(b) An analysis of current water quality monitoring efforts, indicating what the existing system does well and fails to do or does inadequately. The analysis shall address, but not be limited to, the following questions:

(i) Is the current number of monitoring sites sufficient to provide accurate information on water quality in all regions of the state;

(ii) Is the current frequency of monitoring efforts sufficient to provide an accurate measurement of changes in water quality over time;

(iii) Are the current methods of sample collection and analysis scientifically sound and is the collection of samples and subsequent testing conducted in a manner which reasonably assures accurate measurements;

(iv) Is the current reporting process timely and does it present information to policymakers in an understandable and usable form;

(v) Is the current coordination of monitoring efforts between the Department of Environmental Quality, natural resources districts, and county or local governments sufficient; and

(vi) Does the current system provide a mechanism ensuring statewide or regional coordination of water quality monitoring efforts when desirable.

(2) Phase II of the study shall utilize the information gathered during Phase I and shall consist of a detailed description of the changes required in the current system to establish a comprehensive, integrated statewide water quality monitoring system, including preferred alternatives if multiple options exist. The proposed monitoring system shall include, but not be limited to, the following:

(a) Recommended monitoring site locations;

(b) A description of acceptable monitoring techniques;

(c) The institutional flexibility to allow contaminants to be monitored on a statewide or regional basis as needed;

(d) Procedures to determine when coordinated monitoring between state and local entities is needed and policies for directing such monitoring;

(e) Provisions for the development of long-term trend lines for problem contaminants, for the inclusion of new contaminants, and for elimination of contaminants no longer requiring monitoring;

(f) Mechanisms to determine the best locations to monitor water quality for different types of contaminants and how to define local or regional problem areas; and

(g) An estimate of funding necessary to implement the recommendations of the study.".

2. On page 1, strike beginning with "improve" in line 1 through line 6 and insert "create the Ethanol Pricing Task Force; to provide duties and a termination date; to prohibit the sale of methyl tertiary butyl ether as prescribed; and to provide for a study and findings relating to water quality monitoring.".

LEGISLATIVE BILL 1200. Placed on Select File as amended.
(E & R amendment, AM7253, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1221. Placed on Select File as amended.
E & R amendment to LB 1221:
AM7256

1. On page 1, line 5, strike "section" and insert "sections 48-120.02, 48-145, 48-145.04, and"; strike beginning with "the" in line 6 through "provisions" in line 7 and insert "provisions relating to age of dependency, service of process, review, certification of managed care plans, and self-insurers"; and in line 8 after "duties" insert "of the Nebraska Workers' Compensation Court".

LEGISLATIVE BILL 932. Placed on Select File as amended.
E & R amendment to LB 932:
AM7260

1. On page 1, line 1, after "sections" insert "8-148.07,"; and in line 9 after "of" insert "bank subsidiary corporations,".
2. On page 8, line 28, strike "the".
3. On page 45, line 13; and page 47, line 25, strike "21" and all amendments thereto and insert "23".

LEGISLATIVE BILL 901. Placed on Select File as amended.
(E & R amendment, AM7257, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 901A. Placed on Select File.

LEGISLATIVE BILL 1008. Placed on Select File as amended.
E & R amendment to LB 1008:
AM7263

1. On page 1, line 4, strike "powers and"; and in line 6 after the semicolon insert "to authorize access to and judicial notice of certain reports;".
2. On page 2, line 14, insert an underscored comma after "occupation".
3. On page 4, line 8, insert an underscored comma after "confidential".

LEGISLATIVE BILL 1086. Placed on Select File as amended.
E & R amendment to LB 1086:
AM7262

1. On page 1, strike beginning with the first "and" in line 8 through the semicolon in line 9 and insert "pickle cards, and lotteries and raffles;".

LEGISLATIVE BILL 495. Placed on Select File as amended.
E & R amendment to LB 495:
AM7259

1. In the Stuhr amendment, AM3193, on page 2, line 2, strike "on".
2. On page 1, strike beginning with "amend" in line 1 through line 5 and insert "adopt the Education and Career Preparation Act; to create a task force; to provide a termination date; and to declare an emergency.".

LEGISLATIVE BILL 349. Placed on Select File.

LEGISLATIVE BILL 1304. Placed on Select File as amended.
E & R amendment to LB 1304:
AM7258

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 84-304, Reissue Revised Statutes of Nebraska, is amended to read:

84-304. It shall be the duty of the Auditor of Public Accounts:

(1) To give information in writing to the Legislature, whenever required, upon any subject relating to the fiscal affairs of the state or with regard to any duty of his or her office;

(2) To furnish offices for himself or herself and all fuel, lights, books, blanks, forms, paper, and stationery required for the proper discharge of the duties of his or her office;

(3)~~(a)~~ To examine or cause to be examined, at such time as he or she shall determine, books, accounts, vouchers, records, and expenditures of all state officers, state bureaus, state boards, state commissioners, the state library, societies and associations supported by the state, state institutions, state colleges, and the University of Nebraska, except when required to be performed by other officers or persons;~~,~~

~~(b) to~~ (4) To examine or cause to be examined, at the expense of the political subdivision, when the Auditor of Public Accounts determines such examination necessary or when requested by the political subdivision, the books, accounts, vouchers, records, and expenditures of an agricultural association formed under Chapter 2, article 20, county agricultural society, joint airport authority formed under the Joint Airport Authorities Act, city or county airport authority, development district, regional council, drainage district, ~~fire protection district,~~ health district, historical society, hospital authority or district, county hospital, irrigation district, county or municipal library, community mental health center, railroad transportation safety district, rural water district, township, or the Wyuka Cemetery;~~,~~ ~~and~~

~~(c)~~ ~~to~~ (5) To report promptly to the Director of Administrative Services and the appropriate standing committee of the Legislature the fiscal condition shown by such examinations conducted by the auditor, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts;

(6)(a) To examine or cause to be examined the books, accounts, vouchers, records, and expenditures of a fire protection district. The expense of the examination shall be paid by the political subdivision. ~~An examination of any volunteer department as defined in section 35-901 shall not include an examination of the volunteer department trust fund.~~

(b) Whenever the expenditures of a fire protection district are less than one hundred fifty thousand dollars per fiscal year, the fire protection district shall be audited no more than once every five years except as directed by the board of directors of the fire protection district or unless the ~~Auditor of Public Accounts~~ auditor receives a verifiable report from a third party indicating any irregularities or misconduct of officers or employees of the fire protection district, any misappropriation or misuse of public funds or property, or any improper system or method of bookkeeping or condition of accounts of the fire protection district. In the absence of such a report, the ~~Auditor of Public Accounts~~ auditor may waive the five-year audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the ~~Auditor of Public Accounts~~ auditor. The ~~Auditor of Public Accounts~~ auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver of the five-year audit requirement. Upon approval of the request for waiver of the five-year audit requirement, a new five-year audit period shall begin.

(c) Whenever the expenditures of a fire protection district exceed one hundred fifty thousand dollars in a fiscal year, the auditor may waive the audit requirement upon the submission of a written request by the fire protection district in a form prescribed by the auditor. The auditor shall notify the fire protection district in writing of the approval or denial of a request for waiver. Upon approval of the request for waiver, a new five-year audit period shall begin for the fire protection district if its expenditures are less than one hundred fifty thousand dollars per fiscal year in subsequent years;~~.~~

(7) To ~~The Auditor of Public Accounts shall~~ appoint two

assistant deputies ~~(i)~~ (a) whose entire time shall be devoted to the service of the state as directed by the auditor, ~~(ii)~~ (b) who shall be certified public accountants with at least five years' experience, ~~(iii)~~ (c) who shall be selected without regard to party affiliation or to place of residence at the time of appointment, ~~(iv)~~ (d) who shall promptly report in duplicate to the auditor the fiscal condition shown by each examination, including any irregularities or misconduct of officers or employees, any misappropriation or misuse of public funds or property, and any improper system or method of bookkeeping or condition of accounts, and it shall be the duty of the auditor to file promptly with the Governor a duplicate of such report, and ~~(v)~~ (e) who shall qualify by taking an oath which shall be filed in the office of the Secretary of State; ~~and~~

~~(4) Conduct~~ (8) To conduct audits and related activities for state agencies, political subdivisions of this state, or grantees of federal funds disbursed by a receiving agency on a contractual or other basis for reimbursement to assure proper accounting by all such agencies, political subdivisions, and grantees for funds appropriated by the Legislature and federal funds disbursed by any receiving agency. The ~~Auditor of Public Accounts~~ auditor may contract with any political subdivision to perform the audit of such political subdivision required by or provided for in section 23-1608 or 79-1229 or this section and charge the political subdivision for conducting the audit. The fees charged by the auditor for conducting audits on a contractual basis shall be in an amount sufficient to pay the cost of the audit. The fees remitted to the auditor for such audits and services shall be deposited in the Auditor of Public Accounts Cash Fund; and~~.~~

(9) To conduct all ~~All the~~ audits and examinations ~~conducted by the Auditor of Public Accounts shall be conducted~~ in a timely manner and in accordance with the standards for audits of governmental organizations, programs, activities, and functions published by the Comptroller General of the United States.

Sec. 2. Original section 84-304, Reissue Revised Statutes of Nebraska, is repealed.".

LEGISLATIVE BILL 26. Placed on Select File as amended.
E & R amendment to LB 26:
AM7254

1. Strike the original sections and all amendments thereto and insert:

"Section 1. The Legislature finds that, for Nebraska to compete effectively in the world, it must have an educated and productive work force. In order to have an educated and productive work force, it must prepare its children to learn, and in order to do so the children must be well-nourished. The Legislature finds that school breakfast and lunch programs are integral parts of

Nebraska's educational system.

Sec. 2. The Legislature shall reimburse each qualified public school in Nebraska a portion of the cost of such school's school breakfast program in the amount of five cents per school breakfast served by such school. To qualify, a school district shall operate a school lunch program and the district shall have received equalization aid as defined in section 79-1003 in the school fiscal year in which the breakfasts were served. The Legislature shall appropriate money from the General Fund to carry out this section.

Sec. 3. Payments pursuant to section 2 of this act shall be made to each school district according to rules and regulations for disbursements adopted and promulgated by the State Department of Education.".

2. On page 1, line 2, strike "meal" and insert "breakfast".

LEGISLATIVE BILL 26A. Placed on Select File.

LEGISLATIVE BILL 1410. Placed on Select File as amended.
E & R amendment to LB 1410:
AM7255

1. Strike the original sections and all amendments thereto and insert:

"Section 1. (1) The Nebraska Lewis and Clark Bicentennial Commission is established and has the following members:

(a) A chairperson, a vice-chairperson, and five other members appointed by the Governor, at least one of whom shall be an enrolled member of a Nebraska Indian tribe. All appointed members shall serve three-year terms and may be reappointed. All appointed members shall have an interest in the history of the Lewis and Clark expedition;

(b) The Director of the Nebraska State Historical Society or his or her designee;

(c) The secretary of the Game and Parks Commission or his or her designee;

(d) The head of the Travel and Tourism Division of the Department of Economic Development or his or her designee;

(e) The President of the University of Nebraska or his or her designee; and

(f) The executive director of the Commission on Indian Affairs or his or her designee.

(2) The Nebraska Lewis and Clark Bicentennial Commission shall coordinate and promote the observance of Nebraska's bicentennial commemoration of the Lewis and Clark expedition. The commission shall seek designation as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code. The commission may:

(a) Cooperate with national, regional, statewide, and local events promoting the bicentennial;

(b) Plan, assist, coordinate, or conduct bicentennial events;

(c) Engage in fundraising activities, including revenue-earning enterprises and the solicitation of grants, gifts, and donations;

(d) Promote public education concerning the Lewis and Clark expedition;

(e) Coordinate interagency participation in the observation and work with appropriate federal entities such as the National Park Service, the United States Forest Service, and the United States Army;

(f) Appoint various local and regional advisory committees; and

(g) Perform any other related duties.

(3) The Nebraska Lewis and Clark Bicentennial Fund is created. All money collected by the commission shall be remitted to the State Treasurer for credit to the fund. Money collected may include money from revenue-earning enterprises, grants, gifts, bequests, or donations, appropriations by the Legislature, and interest earned. Money in the fund shall be used only for the purposes described in this section. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

(4) Members of the Nebraska Lewis and Clark Bicentennial Commission shall serve without compensation but shall be reimbursed for their actual and necessary expenses as provided in sections 81-1174 to 81-1177.

Sec. 2. The Nebraska Lewis and Clark Bicentennial Commission terminates on December 31, 2007.

Sec. 3. Since an emergency exists, this act takes effect when passed and approved according to law.".

LEGISLATIVE BILL 1410A. Placed on Select File.
LEGISLATIVE BILL 1251. Placed on Select File.

LEGISLATIVE BILL 825. Placed on Select File as amended.
E & R amendment to LB 825:
AM7261

1. In the Standing Committee amendments, AM2040:

a. On page 1, line 13, strike "a";

b. On page 4, line 2, strike the second "of"; in line 9 strike "Operation" and insert "Operator"; and in line 20 strike the second comma;

c. On page 5, line 13, strike "of" and insert "for"; and in line 18 strike "issued a license"; and

d. On page 11, line 17, strike "funds" and insert

9 "money"; and in line 27 strike "Operation" and insert "Operator".

LEGISLATIVE BILL 825A. Placed on Select File.
LEGISLATIVE BILL 956. Placed on Select File.
LEGISLATIVE BILL 1361. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

GENERAL FILE

LEGISLATIVE BILL 925. Senator Landis withdrew his amendment, AM2696, found on page 951.

Senator Raikes renewed his pending amendment, AM2822, found on page 1074.

Senator Raikes withdrew his amendment.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Wickersham offered the following amendment:
FA363
Strike original sections 1 through 8 and all amendments thereto.

Senator Wickersham moved for a call of the house. The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Senator Wickersham requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 19:

Baker Bromm Chambers Coordsen Dickey
Hudkins Jensen Kremer Pederson, D. Raikes
Redfield Robak Schmitt Schrock Stuhr
Suttle Vrtiska Wehrbein Wickersham

Voting in the negative, 18:

Aguilar Beutler Bourne Brown Byars
Connealy Crosby Hartnett Kiel Kristensen
Landis Lynch Matzke Pedersen, Dw. Price
Schimek Thompson Tyson

Present and not voting, 7:

Bohlke Cudaback Dierks Hilgert Janssen
Jones Preister

Excused and not voting, 5:

Brashear	Bruning	Engel	Quandahl	Smith

The Wickersham amendment lost with 19 ayes, 18 nays, 7 present and not voting, and 5 excused and not voting.

Pending.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits this report of the following legislative appointments:

Agonor, Napoleon - Accountability and Disclosure Commission -- Government, Military and Veterans Affairs

Douglas, Carole - State Foster Care Review Board -- Health and Human Services

Gilmore, Susan - State Foster Care Review Board -- Health and Human Services

Heieck, Sheila - State Foster Care Review Board -- Health and Human Services

Kosman, H. H. "Hod" - Nebraska Information Technology Commission -- Transportation and Telecommunications

Lund, Linda - State Foster Care Review Board -- Health and Human Services

Vanlandingham, Pamela - Nebraska Information Technology Commission -- Transportation and Telecommunications

Vasa, Katherine - Board of Emergency Medical Services -- Health and Human Services

Williams, Burrell - State Foster Care Review Board -- Health and Human Services

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

AMENDMENTS - Print in Journal

Senators Bohlke, Coordsen, and Kremer filed the following amendment to LB 1213:

(Amendment, AM3234, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Wickersham filed the following amendment to LB 1067:
(Amendment, AM3205, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

SELECT COMMITTEE REPORT
Enrollment and Review

Correctly Engrossed

The following bill was correctly engrossed: LB 973A.

(Signed) Adrian M. Smith, Chairperson

EXPLANATION OF VOTE

Had I been present, I would have voted "yes" on LB 26.

(Signed) Deborah Suttle

RESOLUTION

LEGISLATIVE RESOLUTION 490. Introduced by Schrock, 38.

WHEREAS, Peggy Malzacher, of Alma, Nebraska, reigning "Mrs. Nebraska" from 1999; and

WHEREAS, Mrs. Malzacher has been married to Curtis Malzacher for 5 1/2 years, and they have three boys: Two-year-old Austin and one-year-old twins, John and Matthew; and

WHEREAS, Mrs. Malzacher has a bachelor's degree in Speech Communication and a master's degree in Biblical Counseling, and she enjoys speaking to troubled youth, young mothers, women's groups, senior centers, and schools; and

WHEREAS, What Mrs. Malzacher enjoys most about being "Mrs. Nebraska" is sharing biblical principles that will help the quality of people's lives.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Mrs. Malzacher and commends her for her charitable work and achievements. -

Laid over.

STANDING COMMITTEE REPORTS
General Affairs

The General Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Advisory Commission on Compulsive Gambling
Jerry Bauerkemper
Thomas L. Nutt
Judy Streeks

VOTE: Aye: Senators Connealy, Dickey, Hartnett, Janssen, Quandahl, and Schrock. Nay: None. Absent: Senators Cudaback and Smith.

The General Affairs Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Nebraska Arts Council
Thompson Rogers

VOTE: Aye: Senators Connelay, Dickey, Hartnett, Janssen, and Quandahl. Nay: None. Absent: Senators Cudaback, Schrock, and Smith.

(Signed) Ray Janssen, Chairperson

NOTICE OF COMMITTEE HEARING
Agriculture

Monday, April, 10, 2000 1:20 p.m.
Dry Bean Commission
David Howell

(Signed) Merton L. Dierks, Chairperson

MESSAGE FROM THE GOVERNOR

March 30, 2000

President, Speaker Kristensen
and Members of the Legislature
State Capitol Building
Lincoln NE 68509

Dear Mr. President, Speaker Kristensen and Senators:

Please withdraw Earl Scudder's name from the confirmation hearing for the Coordinating Commission for Post-Secondary Education scheduled for today, Thursday, March 30, 2000, 1:30 p.m. at the Education hearing due to his resignation.

Thank you.

Sincerely,
(Signed) Mike Johanns
Governor

vfp/

VISITORS

Visitors to the Chamber were 30 students and teacher from Gibbon High School; 13 members of the Rotary Club from Holdrege; 60 fourth grade students and teacher from Conestoga Elementary School, Nehawka; 11 fourth grade students and teacher from Cornerstone Christian School, Bellevue; and 120 students and teacher from Kern Junior High School, Council Bluffs, Iowa and Senator Dw. Pedersen's brother, Dwain Pedersen.

RECESS

At 12:08 p.m., on a motion by Senator Landis, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Kristensen presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke and Smith who were excused until they arrive.

NOTICE OF COMMITTEE HEARING
Transportation and Telecommunications

Monday, April 10, 2000 8:45 a.m.
Nebraska Information Technology Commission
  H. H. "Hod" Kosman
  Pamela Vanlandingham

(Signed) Curt Bromm, Chairperson

MOTION - Override Line-Item Veto on LB 1217

The Appropriations Committee moved pursuant to Rule 6, Section 14, to override the Governor's line-item vetoes to LB 1217 contained in:

1. The following sections for Mental Health provider rates:
   a. Section 19, program 34 Alcohol/Drug Addiction Aid
   b. Section 21, program 347 Public Assistance
   c. Section 22, program 348 Medical Assistance
   d. Section 23, program 366 Community Mental Health--Aid

2. Section 24, for Region VI Hospital reimbursement, MH services.

3. Section 36, for University of Nebraska employee health care costs for only FY 1999-00.

4. Section 37, for University of Nebraska, Sheldon Memorial Art Gallery renovations for only FY2000-01 and "Future."

5. Section 48, for Centennial Mall improvements for only FY2000-01.

Senators Dierks and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Wehrbein moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Whereupon the President stated: "The question shall be, 'Shall those portions of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 18:

Beutler
Bourne
Brown
Crosby
Cudaback
Engel
Janssen
Kiel
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Price
Robak
Suttle
Thompson
Wehrbein

Voting in the negative, 30:

Aguilar
Baker
Bohlke
Brashear
Bromm
Bruning
Byars
Chambers
Connealy
Coordsen
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Jensen
Jones
Kremer
Kristensen
Preister
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Stuhr
Tyson
Vrtiska
Wickersham

Excused and not voting, 1:

Smith

Having failed to receive a constitutional three-fifths majority voting in the affirmative, those portions of the bill failed to pass notwithstanding the line-item objections of the Governor.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING
Government, Military and Veterans Affairs

Monday, April 10, 2000 1:15 p.m.
Accountability and Disclosure Commission
Napoleon Agonor
Marilee Fredrickson

(Signed) DiAnna R. Schimek, Chairperson

AMENDMENTS - Print in Journal

Senator Bromm filed the following amendment to LB 951:
AM3048

1. Insert the following new sections:

"Section 1. Section 39-1345.01, Reissue Revised Statutes of Nebraska, is amended to read:

39-1345.01. Whenever the Department of Roads, under the authority of section 39-1345, permits the public use of a highway undergoing construction, repair, or maintenance in lieu of a detour route, the contractor shall not be held responsible for damages to those portions of the project upon which the department has permitted public use, when such damages are the result of no proximate act or failure to act on the part of the contractor.~~,~~ ~~except in those instances where traffic upon the portion being constructed was contemplated in the specifications.~~

Sec. 4. Section 60-6,298, Reissue Revised Statutes of Nebraska, is amended to read:

60-6,298. (1)(a) The Department of Roads or the Nebraska State Patrol, with respect to highways under its jurisdiction including the National System of Interstate and Defense Highways, and local authorities, with respect to highways under their jurisdiction, may in their discretion upon application and good cause being shown therefor issue a special, continuing, or ~~permit~~ ~~or a~~ continuous permit in writing authorizing the applicant or his or her designee:

(i) To operate or move a vehicle, a combination of vehicles, or objects of a size or weight of vehicle or load exceeding the maximum specified by law when such permit is necessary:

(A) To further the national defense or the general welfare;

(B) To permit movement of cost-saving equipment to be used in highway or other public construction or in agricultural land treatment; or

(C) Because of an emergency, an unusual circumstance, or a very special situation;

(ii) To operate vehicles, for a distance up to one hundred twenty miles, loaded up to fifteen percent greater than the maximum weight specified by law, up to ten percent greater than the maximum length specified by law, except that for a truck-tractor semitrailer trailer combination utilized to transport sugar beets which may be up to twenty-five percent greater than the maximum length specified by law, or both, when carrying grain or other seasonally harvested products from the field where such grain or products are harvested to storage, market, or stockpile in the field or from stockpile to market or factory when failure to move such grain or products in abundant quantities would cause an economic loss to the person or persons whose grain or products are being transported or when failure to move such grain or products in as large quantities as possible would not be in the best interests of the national defense or general welfare. The distance limitation may be waived for vehicles when carrying dry beans from the field where harvested to storage or market when dry beans are not normally stored, purchased, or used within the permittee's local area and must be transported more than one hundred twenty miles to an available marketing or storage destination. Except for farm trucks as provided in subdivision (b) of this subsection, no permit shall authorize a weight greater than twenty thousand pounds on any single axle; or

(iii) To transport an implement of husbandry which does not exceed twelve and one-half feet in width during daylight hours, except that the permit shall not allow transport on holidays.

(b) Any farm truck as defined in section 60-301 with not more than two axles may operate with a special permit for a distance of up to forty miles with an excess axle load of not more than five percent in excess of the maximum load permitted for a single axle by section 60-6,294 when such truck is being used for carrying grain or other seasonally harvested products from the field where such grain or products are harvested to storage, market, or stockpile in the field, except that such truck shall not operate on the National System of Interstate and Defense Highways.

(c) No permit shall be issued under subdivision (a)(i) of this subsection for a vehicle carrying a load unless such vehicle is loaded with an object which exceeds the size or weight limitations, which cannot be dismantled or reduced in size or weight without great difficulty, and which of necessity must be moved over the highways to reach its intended destination. No permit shall be required for the temporary movement on highways other than dustless-surfaced state highways and for necessary access to points on such highways during daylight hours of cost-saving equipment to be used in highway or other public construction or in agricultural land treatment when such temporary movement is necessary and for a reasonable distance.

(2) The application for any such permit shall specifically describe the vehicle, the load to be operated or moved, whenever possible the particular highways for which permit to operate is requested, and whether such permit is requested for a single trip or for continuous or continuing operation.

(3) The department or local authority is authorized to issue or withhold such permit at its discretion or, if such permit is issued, to limit the number of days during which the permit is valid, to limit the number of trips, to establish seasonal or other time limitations within which the vehicles described may be operated on the highways indicated, or to issue a continuous or continuing permit for use on all highways, including the National System of Interstate and Defense Highways. The permits are subject to reasonable conditions as to periodic renewal of such permit and as to operation or movement of such vehicles. The department or local authority may otherwise limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces, or structures or undue danger to the public safety. The department or local authority may require such undertaking or other security as may be deemed necessary to compensate for any injury to any roadway or road structure.

(4) Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer, carrier enforcement officer, or authorized agent of any authority granting such permit. Each such permit shall state the maximum weight permissible on a single axle or combination of axles and the total gross weight allowed. No person shall violate any of the terms or conditions of such special permit. In case of any violation, the permit shall be deemed automatically revoked and the penalty of the original limitations shall be applied unless:

(a) The violation consists solely of exceeding the size or weight specified by the permit, in which case only the penalty of the original size or weight limitation exceeded shall be applied; or

(b) The total gross load is within the maximum authorized by the permit, no axle is more than ten percent in excess of the maximum load for such axle or group of axles authorized by the permit, and such load can be shifted to meet the weight limitations of wheel and axle loads authorized by such permit. Such shift may be made without penalty if it is made at the state or commercial scale designated in the permit. The vehicle may travel from its point of origin to such designated scale without penalty, and a scale ticket from such scale, showing the vehicle to be properly loaded and within the gross and axle weights authorized by the permit, shall be reasonable evidence of compliance with the terms of the permit.

(5) The department or local authority issuing a permit as provided in this section may adopt and promulgate rules and

regulations with respect to the issuance of permits provided for in this section.

(6) The department shall make available applications for permits authorized pursuant to subdivisions (1)(a)(ii), (1)(a)(iii), and (1)(b) of this section in the office of each county treasurer. The department may make available applications for all other permits authorized by this section to the office of the county treasurer and may make available applications for all permits authorized by this section to any other location chosen by the department.

(7) The department or local authority issuing a permit may require a permit fee of not to exceed ~~ten~~ twenty-five dollars, except that:

(a) The fee for a continuous or continuing permit may not exceed twenty-five dollars for a ninety-day period, fifty dollars for a one-hundred-eighty-day period, or one hundred dollars for a one-year period; and

(b) The fee for permits issued pursuant to subdivisions (1)(a)(ii) and (1)(b) of this section shall be twenty-five dollars for a thirty-day permit and fifty dollars for a sixty-day permit. Permits issued pursuant to such subdivisions shall be valid for thirty days or sixty days and shall be renewable for a total number of days not to exceed one hundred and twenty days per year.

A vehicle or combination of vehicles for which an application for a permit is requested pursuant to this section shall be registered under section 60-305.09 or 60-331 for the maximum gross vehicle weight that is permitted pursuant to section 60-6,294 before a permit shall be issued except as provided in subdivision (1)(b) of this section.".

2. On page 5, line 21, after "Original" insert "sections 39-1345.01 and 60-6,298, Reissue Revised Statutes of Nebraska, and "; and in line 22 strike "is" and insert "are".

3. Renumber the remaining sections accordingly.

Senator Schrock filed the following amendment to LB 1234:
AM3223

(Amendments to E & R amendments, AM7251)

1. Insert the following new sections:

"Sec. 6. Section 81-1532, Reissue Revised Statutes of Nebraska, is amended to read:

81-1532. Sections 81-1501 to ~~81-1533~~ 81-1532 shall be known and may be cited as the Environmental Protection Act.

Sec. 7. Section 81-15,152, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,152. The council shall have the following powers and duties:

(1) The power to adopt and promulgate rules and regulations to govern the application procedure and requirements for making loans under the Wastewater Treatment Facilities

Construction Assistance Act;

(2) The power to adopt a system for the ranking of wastewater treatment construction projects with known needs or for which loan applications have been received by the department. In establishing the system the council shall consider, among other things, the severity of pollution, public health, water quality impact, population, financial capability, and eligibility of the construction project for federal or state funds. This priority system shall be reviewed annually by the council;

(3) The power to adopt and promulgate rules and regulations to govern types of nonpoint source control system projects which will be eligible for loans and to adopt a system for priority ranking of such projects;

(4) The power to adopt a system of establishing interest rates to be charged on loans. The system shall presume that the current market interest rate shall be charged unless a municipality or a county demonstrates a serious financial hardship. The system may allow discounted interest rates for short-term loans. The following factors shall be considered when making a determination of serious financial hardship: Income level of residents; amount of debt and debt service requirements; and level of user fees both in absolute terms and relative to income of residents;

(5) The power to create an administrative fee to be assessed on a loan for the purpose of administering the Wastewater Treatment Facilities Construction Assistance Act. Such fee shall be based on the availability of federal funding for such purpose and the projected administrative needs for carrying out the purposes of the act;

(6) The power to determine the maximum amount of any one loan or combination of loans for any single municipality or any single county; ~~and~~

(7) Except as limited by section 81-15,151, the power to obligate the Wastewater Treatment Facilities Construction Loan Fund and the assets thereof, in whole or in part, to repay with interest loans to or deposits into the fund, including bonds, the proceeds of which are deposited into the fund; and

(8) The power to adopt and promulgate rules and regulations to govern the application procedure and requirements, including any funding caps and cost-share requirements, for grants pursuant to subdivision (10) of section 81-15,153.

Sec. 8. Section 81-15,153, Reissue Revised Statutes of Nebraska, is amended to read:

81-15,153. The department shall have the following powers and duties:

(1) The power to establish a program to make loans to municipalities or to counties, individually or jointly, for construction or modification of publicly owned wastewater treatment works in accordance with the Wastewater Treatment Facilities Construction Assistance Act and the rules and regulations of the

council adopted and promulgated pursuant to such act;

(2) The power to establish a program to make loans to municipalities or to counties for construction, rehabilitation, operation, or maintenance of nonpoint source control systems in accordance with the Wastewater Treatment Facilities Construction Assistance Act and the rules and regulations of the council adopted and promulgated pursuant to such act. The department shall propose such rules and regulations to the council no later than July 1, 1997;

(3) The power, if so authorized by the council pursuant to section 81-15,152, to execute and deliver documents obligating the Wastewater Treatment Facilities Construction Loan Fund and the assets thereof to the extent permitted by section 81-15,151 to repay, with interest, loans to or deposits into the fund and to execute and deliver documents pledging to the extent permitted by section 81-15,151 all or part of the fund and its assets to secure, directly or indirectly, the loans or deposits;

(4) The duty to prepare an annual report for the Governor and the Legislature containing information which shows the financial status of the program;

(5) The duty to establish fiscal controls and accounting procedures sufficient to assure proper accounting during appropriate accounting periods, including the following:

(a) Accounting from the Nebraska Investment Finance Authority for the costs associated with the issuance of bonds pursuant to the act;

(b) Accounting for payments or deposits received by the fund;

(c) Accounting for disbursements made by the fund; and

(d) Balancing the fund at the beginning and end of the accounting period;

(6) The duty to establish financial capability requirements that assure sufficient revenue to operate and maintain a facility for its useful life and to repay the loan for such facility;

(7) The power to determine the rate of interest to be charged on a loan in accordance with the rules and regulations adopted and promulgated by the council;

(8) The power to enter into required agreements with the United States Environmental Protection Agency pursuant to the Clean Water Act;

(9) The power to make ~~state allocations~~ grants concurrent with loans to municipalities with populations of eight hundred inhabitants or less which demonstrate serious financial hardships. The annual obligation to the state shall not exceed ~~three~~ five hundred thousand dollars. The department may authorize grants for up to one-half of the eligible project cost. Such state allocations shall contain a provision that payment of the amount allocated is conditional upon the availability of appropriated

funds. All funds ~~appropriated shall be administered on a cash-flow basis utilizing General Funds~~ shall be appropriated to Agency No. 84 -- Department of Environmental Quality, Program No. 523 -- Wastewater Facilities Construction Assistance Program, to meet payment requirements as they occur; ~~. The department shall submit to the Governor and the Clerk of the Legislature a semiannual report on January 1 and July 1 of each year containing information which shows the financial status of the program, including a statement of the fund balance, an itemized list of all conditional grants made to municipalities, including actual and estimated amounts and the time of payouts, the necessary appropriations required to meet those grants, and any other information which will reflect the progress and financial status of the program. Each member of the Legislature shall receive a copy of the report required by this subdivision by making a request for it to the department; and~~

(10) The power to authorize emergency grants to municipalities with wastewater treatment facilities which have been damaged or destroyed by natural disaster or other unanticipated actions or circumstances. Such grants shall not be used for routine repair or maintenance of facilities; and

(11) Such other powers as may be necessary and appropriate for the exercise of the duties created under the Wastewater Treatment Facilities Construction Assistance Act.

Sec. 9. Original sections 81-1532, 81-15,152, and 81-15,153, Reissue Revised Statutes of Nebraska, are repealed.

Sec. 10. The following section is outright repealed: Section 81-1533, Reissue Revised Statutes of Nebraska.".

2. Insert underscoring in sections 1 to 5.

Senators Wickersham, Coordsen, Raikes, Hartnett, Redfield, and Bohlke filed the following amendment to LB 1138:
AM3212

(Amendments to Standing Committee amendments, AM2464)

1. Strike amendment 3 and insert the following new amendments:

"3. On page 8, line 25, strike 'thirty million' and insert 'twenty-nine million five hundred thousand'; in line 26 strike 'sixteen million' and insert 'fifteen million one hundred thousand'; and in line 27 strike 'four million six' and insert 'two million three'.

4. On page 13, line 26, after the period insert 'For fiscal year 2000-01, the Department of Revenue shall distribute funds under the formula provided in subsection (3) of this section. For fiscal year 2001-02 and all fiscal years thereafter, the department shall distribute funds under the formulas provided in subsections (3) and (4) of this section.'.

5. On page 14, line 20, after the comma insert 'beginning in fiscal year 2001-02'; and in line 25 strike

'seventy-nine hundredths' and insert 'one and seven-tenths'.

6. On page 15, strike lines 14 through 16 and insert 'calculated by the department from resident individual income tax information for the tax year that is two years prior to the beginning of the fiscal year in which the aid will be distributed. The department shall determine the federal adjusted gross income per exemption for each resident individual return for each county and for the state. The number of individuals in poverty for each county shall be the total number of exemptions on returns for each county for which the federal adjusted gross income per exemption is fifty percent or less of the state average federal gross income per exemption.'; and strike the new language in lines 25 through 28 and insert 'For fiscal year 2000-01, any remaining funds shall be distributed as provided in subsections (2) and (3) of this section. For fiscal year 2001-02 and all fiscal years thereafter, any remaining funds shall be distributed based on the ratio of the population of the county to the total population of all counties in the state.'.

7. On page 16, reinstate the stricken matter in lines 1 and 3 through 16; after line 1 insert 'dividing the remaining funds plus three million five hundred thousand dollars on the basis of the ratio of the'; and in line 17 strike the new matter and reinstate the stricken matter.".

2. Renumber the remaining amendments accordingly.

Senator Schrock filed the following amendment to LB 1234:
AM3196

(Amendments to E & R amendments, AM7251)

1. Insert the following new sections:

"Sec. 6. Section 57-501, Reissue Revised Statutes of Nebraska, is amended to read:

57-501. As used in sections 57-501 to 57-507 unless the context otherwise requires:

(1) Person ~~shall mean and include~~ means and includes any person, persons, firm, or corporation;

(2) Owner ~~shall mean and include~~ means and includes (a) any person who holds a written bill of sale or other instrument under which title to the container was transferred to such person, (b) any person who holds a paid or receipted invoice showing purchase and payment of such container, (c) any person whose name, initials, mark, or other identifying device has been plainly and legibly stamped or otherwise shown upon the surface of such container for a period of not less than one year prior to the final enactment and approval of sections 57-501 to 57-507, or (d) any manufacturer of a container who has not sold or transferred ownership thereof by written bill of sale or otherwise;

(3) Liquefied petroleum gas ~~shall mean and include~~ means and includes any material which is composed predominantly of hydrocarbons or mixtures of the same, such as propane, propylene,

butanes (normal butane and isobutane), and butylenes; ~~and~~

(4) Container means any vessel, including a cylinder or tank, used for storing of liquefied petroleum gas; and

(5) Cylinder means a container constructed in accordance with the United States Department of Transportation specifications in 49 C.F.R. ~~Cylinder shall mean a container used for liquefied petroleum gas constructed in accordance with Interstate Commerce Commission specifications and the capacity of which is not more than thirty water gallons or one hundred pounds of liquefied petroleum gas.~~

Sec. 7. Section 57-502, Reissue Revised Statutes of Nebraska, is amended to read:

57-502. No cylinder shall be filled or refilled with liquefied petroleum gas, or any other gas or compound, nor shall ~~such~~ a cylinder be bought, sold, offered for sale, given, taken, loaned, delivered, or permitted to be delivered or otherwise used, or trafficked in, unless such cylinder ~~shall have been subjected to a test by interior hydrostatic pressure in a waterjacket or other apparatus of suitable form approved by the Bureau of Explosives of the Interstate Commerce Commission within ten years from the date of its manufacture or within ten years after having been subjected to such test; PROVIDED, that without regard to the date of previous test, cylinders that show bad dents or other evidence of rough usage, or that are corroded locally to such extent as to indicate possible weakness, or that have lost as much as five percent of their official tare weight, must be retested before being again charged and shipped. After any retest, the actual tare weight for those cylinders passing the test may be recorded as their official tare weight~~ meets the requirements of the regulations of the United States Department of Transportation as they exist on the effective date of this act.

Sec. 8. Section 57-503, Reissue Revised Statutes of Nebraska, is amended to read:

57-503. While in transit, in storage, and ~~while~~ being moved into final utilization, all cylinders containing liquefied petroleum gas must have their valves protected as required by the regulations of the United States Department of Transportation on the effective date of this act. ~~by metal caps or a metal protection shield securely attached to the cylinder and of sufficient strength to protect the valves from injury.~~

Sec. 9. Section 57-504, Reissue Revised Statutes of Nebraska, is amended to read:

57-504. No person, except the owner thereof or persons authorized in writing by ~~said~~ the owner so to do, shall fill or refill with liquefied petroleum gas, or any other gas or compound, a ~~liquefied petroleum gas~~ container~~;~~ or buy, sell, offer for sale, give, take, loan, deliver, or permit to be delivered, or otherwise use, dispose of, or traffic in a ~~liquefied petroleum gas~~ container ~~or containers~~ if such container ~~shall bear~~ bears upon the surface thereof in plainly legible characters the name, initials, mark, or other device of ~~said~~ the owner; nor shall any person, other than the owner of a ~~liquefied petroleum gas~~ container or a person authorized in writing by ~~said~~ the owner, ~~so to do,~~ deface, erase, obliterate, cover up, or otherwise remove or conceal any such name, mark, initial, or device thereon. The ~~; PROVIDED, the~~ person using any ~~such cylinder~~ container may purchase the same at his or her option from the owner at a fair and reasonable market value, and after such purchase may purchase liquefied petroleum gas upon the open market.

Sec. 10. Section 57-505, Reissue Revised Statutes of Nebraska, is amended to read:

57-505. The use of a ~~liquefied petroleum gas cylinder, as defined in subdivision (4) of section 57-501,~~ container by any person other than the person whose name, mark, initial, or device ~~shall be or shall have~~ is or has been upon such ~~liquefied petroleum gas cylinder~~ container, without written consent or purchase of such marked and distinguished ~~liquefied petroleum gas cylinder~~ container, for the sale of liquefied petroleum gas or filling or refilling with liquefied petroleum gas, or the possession of such ~~liquefied petroleum gas cylinders~~ container by any person other than the person having his or her name, mark, initial, or other device thereon, without the consent of such owner, ~~shall and is hereby declared to be~~ is presumptive evidence of the unlawful use, filling or refilling, or trafficking in of such ~~liquefied petroleum gas cylinders~~ container.

Sec. 11. Section 57-506, Reissue Revised Statutes of Nebraska, is amended to read:

57-506. Whenever any person~~, or the president, secretary, treasurer, or other officer of any corporation mentioned in section 57-501, or a duly authorized agent who has personal knowledge of the facts, shall make~~ makes an oath in writing before any judge of the county court~~,~~ that the party ~~so~~ making ~~such~~ the affidavit has reason to believe and does believe that ~~any liquefied petroleum gas cylinders, as defined by subdivision (4) of section 57-501,~~ a container which is marked with the name, initials, mark, or other device of ~~such owners, are~~ the owner is in the possession of or being used by or being filled or refilled by ~~any~~ a person whose name, initials, mark, or other device does not appear on ~~such cylinders,~~ the container and who is in the possession of, filling or refilling, or using ~~any such cylinders~~ the container without the consent of the owner, ~~of such name, initials, or trademark,~~ the judge may, when satisfied that there is reasonable cause, issue a search warrant and cause the premises designated to be searched for the purpose of discovering and obtaining the ~~same~~ container. The judge may also cause the person who possesses the container to be brought before the judge and ~~him or her the person in whose possession such cylinders may be found and shall then~~ inquire into the circumstances of such possession. If ~~such~~ the judge finds that such person ~~has been~~ is guilty of a violation of sections 57-501 to 57-507, ~~he or she~~ the judge shall sentence as provided in section 57-507 and shall also award the possession of ~~property~~ the container, including the contents, ~~of the cylinders,~~ taken upon such search warrant, to the owner thereof.

Sec. 12. Original sections 57-501 to 57-506, Reissue Revised Statutes of Nebraska, are repealed.".

2. Insert underscoring in the original sections.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 1138A. Introduced by Wickersham, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1138, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

MOTIONS - Override Line-Item Vetoes on LB 1217

Senators Crosby and Beutler moved to override the Governor's line-item vetoes contained in Section 29 of LB 1217 (Aid to libraries).

Senators Crosby and Beutler withdrew their motion to override.

Senators Crosby and Beutler moved to override the Governor's line-item vetoes contained in Section 48 of LB 1217 (improvements to Centennial Mall).

Senators Crosby and Beutler withdrew their motion to override.

Senators Crosby and Beutler moved to override the Governor's line-item veto contained in Section 37 of LB 1217 (Sheldon Memorial Art Gallery).

Senators Crosby and Beutler withdrew their motion to override.

Senator Jensen moved to override the Governor's line-item vetoes contained in Sections 19, 21, 22, and 23 of LB 1217, relating to mental health provider rates.

Senator Engel moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

Senator Jensen moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Suttle requested a roll call vote, in reverse order, on the Jensen motion to override.

Whereupon the President stated: "The question shall be, 'Shall that portion of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 43:

Aguilar
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Stuhr
Suttle
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 2:

Bruning
Tyson

Present and not voting, 3:

Baker
Dickey
Dierks

Excused and not voting, 1:

Smith

Having received a constitutional three-fifths majority voting in the affirmative, that portion of the bill passed notwithstanding the line-item objections of the Governor.

The Chair declared the call raised.

Senators Landis and Coordsen asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Jensen moved to override the Governor's line-item vetoes contained in Section 24 of LB 1217, relating to Region VI hospital reimbursement.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 2 nays, and 16 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with

39 ayes, 0 nays, and 10 not voting.

Senator Suttle requested a roll call vote, in reverse order, on the Jensen motion to override.

Whereupon the President stated: "The question shall be, 'Shall that portion of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 41:

Aguilar Beutler Bohlke Bourne Brashear
Bromm Brown Bruning Byars Chambers
Connealy Crosby Cudaback Engel Hartnett
Hilgert Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Robak Schimek Schrock
Stuhr Suttle Thompson Vrtiska Wehrbein
Wickersham

Voting in the negative, 2:

Baker Tyson

Present and not voting, 3:

Dickey Dierks Schmitt

Excused and not voting, 3:

Coordsen Landis Smith

Having received a constitutional three-fifths majority voting in the affirmative, that portion of the bill passed notwithstanding the line-item objections of the Governor.

The Chair declared the call raised.

Senators Connealy, Robak, and D. Pederson asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Janssen moved to override the veto of $400,000 for local Transit Authorities Aid to LB 1217, contained in Section 25, Program 305.

SENATOR CUDABACK PRESIDING

Senator Vrtiska asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Brashear moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Janssen requested a roll call vote on his motion to override.

Whereupon the President stated: "The question shall be, 'Shall that portion of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 18:

Beutler Bourne Brashear Brown Crosby
Hartnett Hilgert Hudkins Janssen Kiel
Landis Lynch Pedersen, Dw. Preister Price
Schimek Suttle Thompson

Voting in the negative, 27:

Aguilar Baker Bohlke Bromm Bruning
Byars Chambers Connealy Coordsen Cudaback
Dickey Dierks Engel Jensen Jones
Kremer Kristensen Matzke Quandahl Raikes
Redfield Schmitt Stuhr Tyson Vrtiska
Wehrbein Wickersham

Present and not voting, 1:

Schrock

Excused and not voting, 3:

Pederson, D. Robak Smith

Having failed to receive a constitutional three-fifths majority voting in the affirmative, that portion of the bill failed to pass notwithstanding the line-item objections of the Governor.

The Chair declared the call raised.

Senator Schrock moved to override the Governor's veto of Section 39 of LB 1217, (Natural Resources Enhancement Fund) Program Number 309.

Senator Schrock withdrew his motion to override.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 833A. Introduced by Dierks, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 833, Ninety-sixth Legislature, Second Session, 2000.

LEGISLATIVE BILL 495A. Introduced by Stuhr, 24; Bohlke, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 495, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

RESOLUTION

LEGISLATIVE RESOLUTION 491. Introduced by Crosby, 29.

WHEREAS, Cliff Hillegass is a native Nebraskan, born in Rising City, Nebraska, on April 18, 1918; and

WHEREAS, Cliff Hillegass worked his way through high school as a magazine salesman, graduated from Midland College, and is recognized a one of its most successful graduates; and

WHEREAS, Cliff's love for books and learning helped establish him as one of America's best known "book men"; and

WHEREAS, Cliff established a nationwide market for the Nebraska Bookstore, with a creative approach to buying and selling used textbooks to match the requirements of course needs in other locations which required a total knowledge of markets and selling skills; and

WHEREAS, Cliff's reputation among book sellers nationwide became a tremendous asset when "Cliff's Notes" was introduced in 1958. "Cliff's Notes" went on to become the Free World's number one study aid; and

WHEREAS, Cliff's unparalleled success with "Cliff's Notes" offered him the opportunity to aid and assist many worthwhile ventures and projects in Nebraska in the areas of education, sports, and the arts, including the Museum of Nebraska Art; and

WHEREAS, Cliff's interest and support of professional artists as well as amateurs is legendary; and

WHEREAS, Cliff Hillegass is revered by his employees and friends for his kindness, his thoughtfulness, his generosity, and his compassion.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature commends Cliff Hillegass for the extraordinary and generous support he has given to education, sports, and the arts in Nebraska.

Laid over.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 1167:
AM3249

1. Insert the following section:

"Sec. 18. Section 43-265, Reissue Revised Statutes of Nebraska, is amended to read:

43-265. If the person so summoned under section 43-263 is other than a parent or guardian of the juvenile, then the parent or guardian or both, if their residence is known, shall also be notified of the pendency of the case and of the time and place appointed; if there is neither a parent nor guardian, or if his or her residence is not known, then some relative, if there be one and his or her residence is known, shall be notified, except that in any case the court may appoint ~~some~~ ~~suitable~~ ~~person~~ a guardian ad litem to act in behalf of the juvenile.

Sec. 19. Section 43-272, Reissue Revised Statutes of Nebraska, is amended to read:

43-272. (1) When any juvenile shall be brought without counsel before a juvenile court, the court shall advise such juvenile and his or her parent or guardian of their right to retain counsel and shall inquire of such juvenile and his or her parent or guardian as to whether they desire to retain counsel. The court shall inform such juvenile and his or her parent or guardian of such juvenile's right to counsel at county expense if none of them is able to afford counsel. If the juvenile or his or her parent or guardian desires to have counsel appointed for such juvenile, or the parent or guardian of such juvenile cannot be located, and the court ascertains that none of such persons are able to afford an attorney, the court shall forthwith appoint an attorney to represent such juvenile for all proceedings before the juvenile court, except that if an attorney is appointed to represent such juvenile and the court later determines that a parent of such juvenile is able to afford an attorney, the court shall order such parent or juvenile to pay for services of the attorney to be collected in the same manner as provided by section 43-290. If the parent willfully refuses to pay any such sum, the court may commit him or her for contempt, and execution may issue at the request of the appointed attorney or the county attorney or by the court without a request.

(2) The court, on its own motion or upon application of a party to the proceedings, shall appoint a guardian ad litem for the juvenile: (a) If the juvenile has no parent or guardian of his or her person or if the parent or guardian of the juvenile cannot be located or cannot be brought before the court; (b) if the parent or guardian of the juvenile is excused from participation in all or any part of the proceedings; (c) if the parent is a juvenile or an incompetent; (d) if the parent is indifferent to the interests of the juvenile; or (e) in any proceeding pursuant to the provisions of subdivision (3)(a) of section 43-247.

A guardian ad litem shall have the duty to protect the interests of the juvenile for whom he or she has been appointed guardian, and shall be deemed a parent of the juvenile as to those proceedings with respect to which his or her guardianship extends.

(3) ~~Except in cases when there are special reasons why a particular layperson would be the most appropriate guardian ad litem for the juvenile, the~~ The court shall appoint an attorney as guardian ad litem. A guardian ad litem ~~who is an attorney~~ shall act as his or her own counsel and as counsel for the juvenile, unless there are special reasons in a particular case why the guardian ad litem or the juvenile or both should have separate counsel. ~~in addition to the guardian ad litem.~~ In such cases ~~and in cases when the guardian ad litem appointed by the court is not an attorney,~~ the guardian ad litem shall have the right to counsel, except that the guardian ad litem shall be entitled to appointed counsel without regard to his or her financial ability to retain counsel. Whether such appointed counsel shall be provided at the cost of the county shall be determined as provided in subsection (1) of this section.".

2. Amend the operative date and repealer provisions so that the sections added by this amendment become operative on their effective date with the emergency clause.

3. Renumber the remaining sections and correct internal references accordingly.

UNANIMOUS CONSENT - Members Excused

Senators Connealy and Chambers asked unanimous consent to be excused until they return. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 628.

A BILL FOR AN ACT relating to records; to amend sections 84-712, 84-712.01, 84-712.03, and 86-1701, Reissue Revised Statutes of Nebraska; to provide requirements for the provision of copies of public records; to change provisions relating to public records and digital signatures; to provide for electronic signatures; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hartnett	Hilgert	Hudkins	Janssen

Jensen Jones Kiel Kremer Kristensen
Landis Lynch Pedersen, Dw. Preister Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 2:

Matzke Robak

Excused and not voting, 4:

Chambers Connealy Pederson, D. Smith

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 953 with 38 ayes, 1 nay, 5 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 953. With Emergency.

A BILL FOR AN ACT relating to employment security law; to amend sections 48-606.01, 48-617, 48-618, 48-619, 48-628, 48-628.03, 48-652, 48-655, 81-1201.21, and 85-1540, Reissue Revised Statutes of Nebraska, and sections 48-604 and 48-621, Revised Statutes Supplement, 1999; to redefine a term; to change voluntary leave and experience account provisions; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Stuhr Suttle

Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Chambers	Connealy	Pederson, D.	Smith

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 968 with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 968. With Emergency.

A BILL FOR AN ACT relating to government; to amend sections 10-126, 13-502, 18-2601 to 18-2603, 18-2606 to 18-2608, 23-355.01, 57-239, 60-106, 76-214, 77-115, 77-609, 77-1210, 77-1331, 77-1332, 77-1343, 77-1346 to 77-1348, 77-1371, 77-1704, 77-1705, 77-1721, 77-1738, 77-1739, 77-1801, 77-1862, 77-4105, 79-1081, 79-1082, 84-304, and 84-1411, Reissue Revised Statutes of Nebraska, sections 30-2467, 30-2469, 77-112, 77-202.02, 77-202.04, 77-202.05, 77-3,119, 77-623, 77-801, 77-801.01, 77-802.01, 77-802.02, 77-1229, 77-1249, 77-1344, 77-1345, 77-1381, 77-1716, 77-1717, 77-1718, 77-5009, and 77-5023, Revised Statutes Supplement, 1998, sections 13-501, 13-503, 13-504, 23-3202, 35-1303, 51-805, 77-101, 77-202.01, 77-202.03, 77-202.11, 77-202.12, 77-421, 77-684, 77-1233.04, 77-1504.01, 77-1514, 77-1701, 77-27,139.03, 77-5016, 77-5019, 79-1016, and 79-1072.04, Revised Statutes Supplement, 1999, section 77-1361, Revised Statutes Supplement, 1998, as amended by section 2, Legislative Bill 419, Ninety-sixth Legislature, Second Session, 2000, and Laws 1999, LB 271, section 10; to change provisions relating to political subdivision bonds and budgets, county assessors, estate filings, real estate transfer statements, tax levies, tax valuation, tax assessment, tax exemptions, payment and collection of taxes, state aid to municipalities, joint public agencies, the Tax Equalization and Review Commission, school finance, and duties of the Auditor of Public Accounts; to transfer certain duties to the Property Tax Administrator; to change the operative date of changes made by Laws 1999, LB 271; to eliminate definitions and budget and tax appraisal and collection provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 13-515, 77-110, 77-210, 77-1213, and 77-1333, Reissue Revised Statutes of Nebraska, and section 77-398, Revised Statutes Supplement, 1998; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar
Brashear
Crosby
Hartnett
Jones
Lynch
Quandahl
Schmitt
Tyson
Baker
Bromm
Cudaback
Hilgert
Kiel
Matzke
Raikes
Schrock
Vrtiska
Beutler
Bruning
Dickey
Hudkins
Kremer
Pedersen, Dw.
Redfield
Stuhr
Wehrbein
Bohlke
Byars
Dierks
Janssen
Kristensen
Preister
Robak
Suttle
Wickersham
Bourne
Coordsen
Engel
Jensen
Landis
Price
Schimek
Thompson

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 4:

Chambers
Connealy
Pederson, D.
Smith

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

COMMUNICATION

April 3, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Pursuant to provisions of 84-503, R.R.S., we are forwarding LB 1217 with a certificate attached thereto signed by the President of the Legislature, certifying the passage of certain line-item vetoes as set forth on the attached certificate, notwithstanding the objections of the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

Enc.

CERTIFICATE

Legislative Bill 1217, having been returned by the Governor with his signature, but with certain items therein line-item vetoed, the Legislature by the constitutional majority has overridden said line-item vetoes as follows:

1. The following sections for Mental Health provider rates:
   a. Section 19, program 34 Alcohol/Drug Addiction Aid
   b. Section 21, program 347 Public Assistance
   c. Section 22, program 348 Medical Assistance
   d. Section 23, program 366 Community Mental Health--Aid

2. Section 24, for Region VI Hospital reimbursement, MH services.

(Signed) David Maurstad
President of the Legislature

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 968A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 968, Ninety-sixth Legislature, Second Session, 2000; and to reduce appropriations.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar
Brashear
Cudaback
Hilgert
Kiel
Matzke
Raikes
Schrock
Wehrbein
Baker
Bromm
Dickey
Hudkins
Kremer
Pedersen, Dw.
Redfield
Stuhr
Wickersham
Beutler
Bruning
Dierks
Janssen
Kristensen
Preister
Robak
Thompson
Bohlke
Byars
Engel
Jensen
Landis
Price
Schimek
Tyson
Bourne
Coordsen
Hartnett
Jones
Lynch
Quandahl
Schmitt
Vrtiska

Voting in the negative, 0.

Present and not voting, 3:

Brown
Crosby
Suttle

Excused and not voting, 4:

Chambers Connealy Pederson, D. Smith

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1253 with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1253.

A BILL FOR AN ACT relating to insurance; to amend sections 44-4202 to 44-4217, 44-4219 to 44-4222, 44-4224 to 44-4228, 44-4230, 44-5223, 44-5225, 44-5246.02, 44-6901, 44-6915, 44-6918, and 77-918, Reissue Revised Statutes of Nebraska, and sections 44-4233 and 77-912, Revised Statutes Supplement, 1999; to provide requirements for coverage of hospitalization and general anesthesia for dental care; to change provisions relating to the Comprehensive Health Insurance Pool; to create a fund; to change funding provisions relating to the pool; to define and redefine terms relating to the Small Employer Health Insurance Availability Act and health benefit plans; to require coverage for adopted children; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Chambers Connealy Pederson, D. Smith

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1285 with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1285. With Emergency.

A BILL FOR AN ACT relating to the Public Service Commission; to amend sections 75-122.01, 75-134, 75-136, 75-136.01, 75-137, 75-139.01, 75-156, 75-606, 75-610, 75-722, 86-803, 86-811, 86-1005, 86-1110, 86-1111, 86-1219, 86-1222, 86-1306, 86-1405, and 86-1909, Reissue Revised Statutes of Nebraska, and sections 75-109 and 75-609, Revised Statutes Supplement, 1999; to change provisions relating to commission orders and jurisdiction; to change certain stay and appeal provisions; to change, authorize, and limit certain administrative fines; to eliminate certain penalties and obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 75-145, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 3:

Chambers Connealy Smith

A constitutional two-thirds majority having voted in the affirmative, the

bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1352. With Emergency.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1708, Revised Statutes Supplement, 1998; to create a task force; to provide powers and duties; to provide a termination date; to harmonize provisions; to eliminate provisions relating to trusts; to repeal the original section; to outright repeal section 68-1047, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 3:

Chambers
Connealy
Smith

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 628, 953, 968, 968A, 1253, 1285, and 1352.

SELECT FILE

LEGISLATIVE BILL 936. E & R amendment, AM7247, printed separately and referred to on page 1349, was adopted.

Senator Baker withdrew his amendment, AM3031, found on page 1258.

Senator Baker offered the following amendment:
AM3250

(Amendments to E & R amendments, AM7247)

1. On page 8, line 24, after "(iii)" insert "(A) for a county or counties with a labor force greater than three thousand,"; and in line 27 after "number" insert "or (B) for a county or counties with a labor force of three thousand or less, the investment in qualified property of at least fifty thousand dollars times one-half of one percent of the labor force in the county or counties in which the project will be located rounded to the nearest whole number".

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

The Baker amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 936A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 812. E & R amendment, AM7249, found on page 1411, was adopted.

Senator Beutler offered the following amendment:
FA364
Amend AM7249
Strike Section 2

Pending.

EASE

The Legislature was at ease from 5:42 p.m. until 6:14 p.m.

SELECT FILE

LEGISLATIVE BILL 812. Senator Beutler withdrew his amendment, FA364, found in this day's Journal.

Senator Bohlke moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

Senators Bohlke, Beutler, and Stuhr offered the following amendment:
AM3259

(Amendments to E & R amendments, AM7249)

1. Strike the original sections and all amendments thereto and insert the following sections:

"Section 1. Section 79-757, Revised Statutes Supplement, 1998, is amended to read:

79-757. Sections 79-757 to 79-762 and sections 2 and 3 of this act shall be known and may be cited as the Quality Education Accountability Act.

Sec. 2. The State Board of Education shall adopt measurable model academic content standards for at least three grade levels no later than July 1, 2001. The standards for each subject area shall be adopted prior to the implementation of the assessment and reporting system under section 79-760 for that subject area, beginning with writing and reading. The standards shall cover the subject areas of reading, writing, mathematics, science, social studies, and history. The standards adopted shall be sufficiently clear and measurable to be used for testing student performance with respect to mastery of the content described in the state standards.

Sec. 3. In accordance with timelines that are adopted by the State Board of Education, but in no event later than July 1, 2003, each school district shall adopt measurable quality academic content standards in the subject areas of reading, writing, mathematics, science, social studies, and history. The standards may be the same as, or may be equal to or exceed in rigor, the measurable model academic content standards adopted by the state board and shall cover at least the same grade levels. The State Department of Education shall adopt and promulgate appropriate rules and regulations to insure the rigor of the measurable quality academic content standards.

Sec. 4. Section 79-760, Revised Statutes Supplement, 1998, is amended to read:

79-760. (1) The State Board of Education shall implement a statewide system for the assessment of student learning and for reporting the performance of school districts. The assessment and reporting system shall test student knowledge of subject matter materials covered by the measurable model academic content standards approved by the state board. The state board shall adopt an assessment and reporting plan and begin implementation of the assessment and reporting system in the 2000-01 school year beginning with the assessment of reading and writing. The state board shall prescribe statewide assessments of writing that rely on writing samples beginning in the spring of 2001 with students in each of three grades selected by the state board. For each academic year thereafter, one of the three selected grades shall participate in the statewide writing assessment. The state board shall develop an assessment system and prescribe statewide assessments for the subject areas of reading, mathematics, science, social studies, and history. The assessment and reporting system for each subject area, except writing, shall be based on locally developed assessments the first year. Following the first assessment in each subject area, except writing, the State Department of Education shall contract with independent, recognized assessment experts to review and rate locally developed assessments. The department shall identify the criteria for rating the model assessments. The assessment experts shall identify not more than five model assessments receiving the highest ratings. Districts shall thereafter adopt one of the five model assessments and may, in addition, adapt their locally developed assessments. The aggregate results of any assessments required by the state board pursuant to this section shall be reported by the district on a building basis to the public in that district and to the department. The department shall report the aggregate results of any assessments required by the state board pursuant to this section on a district or building basis as part of the statewide assessment and reporting system. ~~assessment program for students in a selected grade in each of the grade ranges four through six, seven through nine, and ten through twelve each fall semester beginning with the fall semester of 2000. The assessment program shall consist of one assessment purchased from an assessment service for each selected grade which tests students in the areas of mathematics, reading, science, and social studies, plus one writing assessment, either developed within the state by educators with expertise in writing assessment or purchased as a part of the assessment for the other specified subjects.~~

(2) The purposes of the assessment ~~program~~ and reporting system are to:

(a) Determine how well public schools are performing in terms of achievement of public school students related to the model state academic content standards;

(b) Report the performance of public schools based upon the results of the assessment;

(c) Provide information for the public and policymakers on the performance of public schools; and

(d) Provide for the comparison of Nebraska public schools to their peers and to school systems of other states and other countries.

(3) The assessment and reporting plan shall include all public schools and all public school students. The state board shall adopt criteria for the inclusion of students with disabilities, students entering the school for the first time, and students with limited English proficiency.

(4) The assessment and reporting plan shall provide for the confidentiality of the individual students.

(5) The state board shall adopt and promulgate rules and regulations to carry out this section. ~~Evaluate whether or not students in a school system have acquired skills and knowledge which allow them to meet or exceed academic standards established by the state board;~~

~~(b) Measure progress of students in a school system toward meeting academic standards established by the state board;~~

~~(c) Provide information for analysis of adopted standards and consideration of new standards;~~

~~(d) Allow comparisons to be made between the academic achievement of students in a local system and students in another Nebraska local system; and~~

~~(e) Allow comparisons to be made between the academic achievement of Nebraska students with the academic achievement of students in other states.~~

~~(3) All public school districts shall participate in the assessment, and all students enrolled in the designated grade levels in such districts shall be assessed except as provided in this subsection. The state board shall establish criteria that schools may use to exempt special education students from assessment in any or all subject areas. The state board may also adopt alternative assessments or means of scoring for special education students and students with limited English proficiency.~~

~~(4) The individual assessment scores shall be confidential, shall be reported to the school district for educational purposes, and shall not be reported to the State Department of Education. Aggregate results for each school district shall be reported to the department by the assessment service and writing assessment scorers. School districts may also make aggregate data available based on attendance centers.~~

~~(5) The department shall be responsible for the cost of the assessment materials and scoring.~~

Sec. 5. Original sections 79-757 and 79-760, Revised Statutes Supplement, 1998, are repealed.".

2. On page 1, strike beginning with "section" in line 1 through line 10 and insert "sections 79-757 and 79-760, Revised Statutes Supplement, 1998; to provide for academic content standards and assessment and reporting of student learning; to provide duties; to harmonize provisions; and to repeal the original sections.".

The Chair declared the call raised.

Senators Dickey and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler offered the following amendment to the Bohlke et al. pending amendment:
FA367
Amend AM3259
On page 3, line 6 change "five" to "four"
On page 3, line 7 change "five" to "four"

Senator Janssen asked unanimous consent to be excused until he returns. No objections. So ordered.

Senators Hartnett and Lynch asked unanimous consent to be excused. No objections. So ordered.

Senator Bromm moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

The Beutler amendment was adopted with 27 ayes, 1 nay, 14 present and not voting, and 7 excused and not voting.

Pending.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1404A. Introduced by Bromm, 23.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, section 48; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1404, Ninety-sixth Legislature, Second Session, 2000; and to repeal the original section.

LEGISLATIVE BILL 819A. Introduced by Jensen, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 819, Ninety-sixth Legislature, Second Session, 2000.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 3, 2000, at 5:25 p.m., were the following: LBs 628, 953e, 968e, 968A, 1253, 1285e, and 1352e.

(Signed) Diana Bridges
Clerk of the Legislature's Office

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendment to LB 1410:
FA365
Amend AM7255
P. 1, line 6, strike "five" and insert "six"; in line 8, strike the period and insert, "and one of whom shall be an African American."

Senator Preister filed the following amendment to LB 1361:
AM3233

1. Insert the following new section:

"Section 1. Section 60-680, Reissue Revised Statutes of Nebraska, is amended to read:

60-680. (1) Any local authority with respect to highways under its jurisdiction and within the reasonable exercise of the police power may:

(a) Regulate or prohibit stopping, standing, or parking;

(b) Regulate traffic by means of peace officers or traffic control devices;

(c) Regulate or prohibit processions or assemblages on the highways;

(d) Designate highways or roadways for use by traffic moving in one direction;

(e) Establish speed limits for vehicles in public parks;

(f) Designate any highway as a through highway or designate any intersection as a stop or yield intersection;

(g) Restrict the use of highways as authorized in section 60-681;

(h) Regulate operation of bicycles and require registration and inspection of such, including requirement of a registration fee;

(i) Regulate or prohibit the turning of vehicles or specified types of vehicles;

(j) Alter or establish speed limits authorized in the Nebraska Rules of the Road;

(k) Designate no-passing zones;

(l) Prohibit or regulate use of controlled-access highways by any class or kind of traffic except those highways which are a part of the state highway system;

(m) Prohibit or regulate use of heavily traveled highways by any class or kind of traffic it finds to be incompatible with the normal and safe movement of traffic, except that such regulations shall not be effective on any highway which is part of the state highway system unless authorized by the Department of Roads;

(n) Establish minimum speed limits as authorized in the rules;

(o) Designate hazardous railroad grade crossings as authorized in the rules;

(p) Designate and regulate traffic on play streets;

(q) Prohibit pedestrians from crossing a roadway in a business district or any designated highway except in a crosswalk as authorized in the rules;

(r) Restrict pedestrian crossings at unmarked crosswalks as authorized in the rules;

(s) Regulate persons propelling push carts;

(t) Regulate persons upon skates, coasters, sleds, and other toy vehicles;

(u) Adopt and enforce an ordinance or resolution prohibiting the use of engine brakes on the National System of Interstate and Defense Highways that has a grade of less than five degrees within its jurisdiction. For purposes of this subdivision, engine brake means a device that converts a power producing engine into a power-absorbing air compressor, resulting in a net energy loss;

(v) Adopt and enforce such temporary or experimental regulations as may be necessary to cover emergencies or special conditions; and

(w) ~~(v)~~ Adopt other traffic regulations except as prohibited by state law or contrary to state law.

(2) No local authority, except an incorporated city with more than forty thousand inhabitants, shall erect or maintain any traffic control device at any location so as to require the traffic on any state highway or state-maintained freeway to stop before entering or crossing any intersecting highway unless approval in writing has first been obtained from the Department of Roads.

(3) No ordinance or regulation enacted under subdivision (1)(d), (e), (f), (g), (i), (j), (k), (l), (m), (o), (p), or (r) of this section shall be effective until traffic control devices giving notice of such local traffic regulations are erected upon or at the entrances to such affected highway or part thereof affected as may be most appropriate.".

2. On page 10, line 12, after "Original" insert "section 60-680, Reissue Revised Statutes of Nebraska, and".

3. Renumber the remaining sections accordingly.

RESOLUTIONS

LEGISLATIVE RESOLUTION 492. Introduced by Vrtiska, 1.

WHEREAS, Justin Weyer is a resident of Liberty, Nebraska, and will become a student at Wayne State College in the fall semester of 2000; and

WHEREAS, the Board of Trustees Scholarship is a four-year, full-tuition scholarship awarded on the basis of academic achievement; and

WHEREAS, Mr. Weyer is a recipient of one of the few Board of Trustees Scholarships to Wayne State College this year.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Justin Weyer on his receipt of this prestigious award, and commend him on his academic success.

Laid over.

LEGISLATIVE RESOLUTION 493. Introduced by Vrtiska, 1.

WHEREAS, Tiffany Georges, an esteemed resident of Shubert, and a student at Southeast Nebraska Consolidated, has achieved national recognition for exemplary volunteer service by receiving a 2000 Prudential

Spirit of Community Award; and

WHEREAS, this prestigious award, presented by The Prudential Insurance Company of America in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Ms. Georges earned this award by giving generously of her time and energy to "Hugs and Kisses from the Heart", an organization which she created that gives teddy bears to sick, homeless, and grieving children; and

WHEREAS, the success of the State of Nebraska, the strength of our communities, and the overall vitality of American society, depends, in great measure, upon the dedication of young people like Ms. Georges who use their considerable talents and resources to serve others.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates and honors Ms. Georges as a recipient of a 2000 Prudential Spirit of Community Award, recognizes her outstanding record of volunteer service, peer leadership, and community spirit, and extends best wishes for her continued success and happiness.

Laid over.

SENATOR CUDABACK PRESIDING

SELECT FILE

LEGISLATIVE BILL 812. The Bohlke et al. pending amendment, AM3259, found in this day's Journal, as amended, was renewed.

The Bohlke et al. amendment, as amended, was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 812A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1010. E & R amendment, AM7248, found on page 1414, was adopted.

Senator Kristensen offered the following amendment:
AM3231

(Amendments to Standing Committee amendments, AM2876)

1. On page 4, line 15, after the period insert "To the extent that it is consistent with the board's fiduciary duty, the board shall not accept any final bid for a tract of land that has an expected long-term rate of return that is greater than the expected long-term rate of return of the permanent school fund as projected by the Nebraska Investment Council.".

Senators Byars, Bruning, Dierks, Preister, and Landis asked unanimous consent to be excused. No objections. So ordered.

Senator Bromm offered the following amendment to the Kristensen pending amendment:
FA368
Amend AM3231
Strike "not" in line 3 and "greater" in line 4, and substitute "less" for greater in line 4.

Senator Jones moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

The Bromm amendment was adopted with 26 ayes, 5 nays, 8 present and not voting, and 10 excused and not voting.

Pending.

RESOLUTION

LEGISLATIVE RESOLUTION 494. Introduced by Bromm, 23.

WHEREAS, the federal decennial census is currently being conducted; and

WHEREAS, the Nebraska Legislature is charged with redistricting the boundary lines for congressional, legislative, supreme court, public service commission, board of regents, and state board of education districts in Nebraska following the decennial census in the Ninety-seventh Legislature, First Session; and

WHEREAS, the Nebraska Legislature desires to outline a fair and open redistricting process, encouraging the input of all members of the legislature; and

WHEREAS, the Nebraska Legislature seeks to encourage the input of the public in the redistricting process; and

WHEREAS, the Nebraska Legislature desires to set forth a plan for seeking to achieve the objectives stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature adopts the Nebraska Redistricting Resolution to establish the process that is intended to be followed in the redistricting process.

Section 1. This resolution shall be known and may be cited as the Nebraska Redistricting Resolution.

Sec. 2. For purposes of the Nebraska Redistricting Resolution, it is intended as follows:

(1) Board means the Executive Board of the Legislative Council;

(2) Director means the Director of Research of the Legislature or his or her designee;

(3) Other district means a legislative district, supreme court judicial district, public service commission district, board of regents district, or state board of education district;

(4) Redistricting process means the activities that relate to the redrawing of district boundaries for congressional districts and other districts undertaken in conjunction with the federal decennial census; and

(5) Task force means the redistricting advisory task force established pursuant to section 3 of this resolution.

Sec. 3. (1) There is hereby established a redistricting advisory task force. The task force shall be comprised of nine members of the Legislature, three from each congressional district existing on January 1 of the year following the year in which the federal government takes the decennial census. Members of the task force shall be appointed by the board at any time after the board has been reconstituted in January of the year following the year in which the federal government takes the decennial census. No more than five of the members appointed to the task force shall be of the same political party. The task force shall continue throughout the redistricting process and shall be reconstituted pursuant to this section in the event of a successful legal challenge to any part of the redistricting process.

(2) The task force shall be responsible for overseeing the redistricting process under the Nebraska Redistricting Resolution. Funds shall be expended for the purchase or lease of equipment and materials to be used for the redistricting process only with the prior approval of the chairperson of the board.

(3) At the first meeting of the task force, the members shall select from among themselves by majority vote one member to serve as chairperson of the task force and one member to serve as vice-chairperson of the task force.

(4) The task force shall receive staff support from the director.

Sec. 4. (1) In the year following the year in which the federal government takes the decennial census, the task force shall (a) develop and adopt procedural and substantive guidelines to be used in conjunction with the redistricting process and (b) based upon the data received from the United States Bureau of the Census, compile statistics, redraw congressional district boundaries and other district boundaries, and prepare redistricting plans and maps reflecting the proposed new boundaries.

(2) The task force shall cause legislative bills to be introduced pertaining to the redistricting process during the first ten days of the legislative session. The plans shall be introduced as amendments to such bills pursuant to section 6 of this resolution.

(3) Nothing in the Nebraska Redistricting Resolution shall be construed to preclude a member of the Legislature from introducing a bill or an amendment pertaining to the redistricting process.

Sec. 5. (1) The director shall only provide such information regarding the plans as may be required by guidelines adopted by the task force to persons outside (a) his or her office and (b) the office of the Revisor of Statutes.

(2) A request to the director for the preparation of a redistricting plan by any member of the Legislature shall be confidential, and information related to such plan shall be released only by such member.

Sec. 6. (1) The task force shall prepare proposed plans for drawing congressional and other district boundaries. As soon as possible in conjunction with such plans, the task force shall make the following available to the Legislature and to the public: (a) Copies of the amendments embodying the plans; (b) maps illustrating the plans; and (c) a statement that includes: (i) The ideal population of a congressional district and the other districts; (ii) the population of each congressional district and each other district created in the plans; and (iii) the percentage deviation from the ideal population of each proposed congressional district and each other district created in the plans.

(2) The task force shall then schedule and conduct at least one public hearing in each congressional district for the purposes of soliciting input on the proposed plans.

(3) Following the public hearings, the task force shall (a) cause to be made available transcripts of testimony received during the public hearings and (b) deliver its amendments embodying the plans to the legislative committee to which the bills were referred.

(4) The committee shall hold a public hearing on the amendments proposed by the task force.

Sec. 7. (1)(a) Boundaries of congressional districts and other districts shall be established on the basis of population and census geography.

(b) Congressional districts and other districts shall have a population as nearly equal as practicable to the ideal population for such districts, determined by dividing the number of districts to be established into the population of the state reported in the most recent federal decennial census.

(c) The population of congressional districts and other districts shall not vary from the relevant ideal district populations except as allowed by subdivisions (d) and (e) of this subsection.

(d) No congressional district shall have a population which causes a plan to have a relative deviation in excess of plus or minus one-half percent, based on the ideal district population.

(e) No other district shall have a population which causes a plan to have a relative deviation in excess of the guidelines established by the task force.

(2) County lines shall be followed whenever practicable for boundaries of congressional districts and other districts. To the greatest extent possible, consistent with subsection (1) of this section, the boundaries shall coincide with the boundaries of cities and villages of the state.

(3) The number of counties, cities, and villages divided among more than one congressional district or other district shall be as small as possible. If a county, city, or village must be divided, the division shall be made along clearly recognizable boundaries, using visible, recognizable physical features which meet the requirements of the United States Bureau of the Census.

(4) Congressional districts and other districts shall be composed of contiguous and compact territory. Areas which meet only at the points of adjoining corners shall not be deemed contiguous.

(5) No congressional district or other district shall be drawn for the purpose of favoring a political party, an incumbent legislator or member of Congress, or any other person or group or which results in the unlawful dilution of the voting strength of a language or racial minority group.

(6) In establishing congressional districts and other districts, the following data shall not be used:

(a) Addresses of incumbents;

(b) Political affiliations of registered voters; and

(c) Demographic information, other than population head counts, and previous election results, except as required by the laws and Constitution of the United States.

Laid over.

AMENDMENTS - Print in Journal

Senators D. Pederson and Schrock filed the following amendment to LB 1003:
AM3252

(Amendments to E & R amendments, AM7252)

1. On page 2, lines 22 and 23; and page 3, lines 1 and 2, strike "481 of the federal Higher Education Act of 1965, 20 U.S.C. 1088," and insert "529 of the Internal Revenue Code".

2. On page 7, line 14, strike "seventeenth" and insert "eighteenth"; and in line 18 strike "twenty-second" and insert "thirtieth".

3. On page 8, line 20, after the period insert "The State Treasurer and Accounting Administrator of the Department of Administrative Services shall determine the state fund types necessary to comply with section 529 of the Internal Revenue Code and state policy.".

4. On page 19, line 23, strike "two thousand dollars per beneficiary" and insert "five hundred dollars per married filing separate return or one thousand dollars for any other return.".

Senator Raikes filed the following amendment to LB 1330:
AM3127

1. Insert the following new section:

"Section 1. Section 77-3446, Revised Statutes Supplement, 1998, is amended to read:

77-3446. Base limitation means the budget limitation rate applicable to school districts and the limitation on growth of restricted funds applicable to other political subdivisions prior to any increases in the rate as a result of special actions taken by a supermajority of any governing board or of any exception allowed by law. The base limitation is two and one-half percent until adjusted. The base limitation may be adjusted annually by the Legislature to reflect changes in the prices of services and products used by school districts and political subdivisions. ~~The Revenue Committee of the Legislature shall on or before January 15 of each year hold a public hearing to receive and consider testimony, evidence, and reports.~~".

2. On page 2, line 9, strike "section" and insert

"sections 77-3446 and"; and in line 10 strike "is" and insert "are".

3. Renumber the remaining sections accordingly.

SELECT FILE

LEGISLATIVE BILL 1010. Senator Wickersham offered the following amendment to the Kristensen pending amendment:
FA369
Amend AM3231
Line 4 after "return" insert "at the final bid value."

The Wickersham amendment was adopted with 32 ayes, 0 nays, 7 present and not voting, and 10 excused and not voting.

The Kristensen pending amendment, AM3231, found in this day's Journal, as amended, was renewed.

Pending.

VISITORS

Visitors to the Chamber were 55 students and teachers from Wilcox Public School; 25 fourth grade students and teacher from Hooper Elementary School; and 44 fourth grade students and teacher from Oakland Craig Elementary School, Oakland.

The Doctor of the Day was Dr. Joel Travis from Albion.

ADJOURNMENT

At 8:38 p.m., on a motion by Senator Connealy, the Legislature adjourned until 9:00 a.m., Tuesday, April 4, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTY-FIFTH DAY - APRIL 4, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 4, 2000

PRAYER

The prayer was offered by Pastor R. D. Fowler, Bethel Baptist Church, Lincoln, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senator Hilgert who was excused; and Senators Bohlke, Bruning, Byars, Hartnett, Jensen, Kiel, Lynch, Matzke, Robak, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-fourth day was approved.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 451 and 482 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 451 and 482.

UNANIMOUS CONSENT - Member Excused

Senator Crosby asked unanimous consent to be excused until she returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 833A. Title read. Considered.

Advanced to E & R for review with 26 ayes, 0 nays, 11 present and not voting, and 12 excused and not voting.

LEGISLATIVE BILL 1003A. Title read. Considered.

Advanced to E & R for review with 25 ayes, 0 nays, 12 present and not voting, and 12 excused and not voting.

LEGISLATIVE BILL 1234A. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 10 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 1008A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 495A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 925. Senator Bohlke moved to reconsider the Wickersham amendment, FA363, found on page 1496.

Senator Bohlke asked unanimous consent to withdraw her motion to reconsider. No objections. So ordered.

Senator Landis moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Advanced to E & R for review with 32 ayes, 11 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 925A. Title read. Considered.

Senator Bourne offered the following Hilgert amendment:
AM2751

1. Insert the following new sections:

"Sec. 2. Laws 1999, LB 880, section 103, is amended to read:

Sec. 103. AGENCY NO. 26 -- DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT

Program No. 347 - Public Assistance

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~117,186,993~~	~~121,852,184~~

GENERAL FUND	117,186,993	120,638,184
~~FEDERAL FUND est.~~	~~97,929,609~~	~~99,703,058~~
FEDERAL FUND est.	97,929,609	99,423,058
~~PROGRAM TOTAL~~	~~215,116,602~~	~~221,555,242~~
PROGRAM TOTAL	215,116,602	220,061,242

There is included in the appropriation to this program for FY1999-00 $117,186,993 General Funds and $97,929,609 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2000-01 ~~$121,852,184~~ $120,638,184 General Funds and ~~$99,703,058~~ $99,423,058 Federal Funds estimate for state aid, which shall only be used for such purpose.

It is also the intent of the Legislature that a grant in the amount of $20,000 be provided with these funds for FY1999-00 and for FY2000-01 to the Child Guidance Center in Lincoln, Nebraska, for the treatment of sexual offense perpetrators.

There is included in the appropriation to this program for FY1999-00 an amount up to $1,005,396 General Funds which may be used to match the federal Welfare-to-Work grant. There is included in the appropriation to this program for FY1999-00 an amount up to $1,005,396 of in-kind match which may be used to meet the federal Welfare-to-Work match requirements. There is included in the appropriation to this program for FY2000-01 an amount up to $1,005,396 General Funds which may be used to match the federal Welfare-to-Work grant. There is included in the appropriation to this program for FY2000-01 an amount up to $1,005,396 of in-kind match which may be used to to meet the federal Welfare-to-Work match requirements.

The appropriation to this program includes estimated offsetting child support collections for FY1999-00 of $4,415,992 General Funds and $3,648,233 Federal Funds and for FY2000-01 of $4,415,992 General Funds and $3,570,398 Federal Funds. The General Fund portion of aid to dependent children child support collections exceeding these estimates may be utilized to support child support enforcement activities in Program No. 341. The Department of Health and Human Services Finance and Support shall report the amount of the collections exceeding the estimates to the budget administrator of the budget division of the Department of Administrative Services and the Legislative Fiscal Analyst by June 1 of each year. The amount of such collections remaining unexpended on June 30, 1999, is hereby reappropriated.

For accounting purposes only, the appropriation to this program includes:

(1) State Food Stamp

	FY1999-00	FY2000-01
GENERAL FUND	715,826	715,826
PROGRAM TOTAL	715,826	715,826

(2) Food Stamp Training and Employment

	FY1999-00	FY2000-01

GENERAL FUND	354,354	373,266
FEDERAL FUND est.	547,891	583,013
PROGRAM TOTAL	902,245	956,279

(3) Medically Handicapped Children

	FY1999-00	FY2000-01
GENERAL FUND	1,228,848	1,228,848
FEDERAL FUND est.	889,685	889,685
PROGRAM TOTAL	2,118,533	2,118,533

(4) IV-E Foster Care

	FY1999-00	FY2000-01
GENERAL FUND	6,976,595	7,661,490
FEDERAL FUND est.	10,923,584	11,923,097
PROGRAM TOTAL	17,900,179	19,584,587

(5) IV-E Adoption

	FY1999-00	FY2000-01
GENERAL FUND	2,191,807	2,558,722
FEDERAL FUND est.	3,431,815	3,981,978
PROGRAM TOTAL	5,623,622	6,540,700

(6) Energy Assistance

	FY1999-00	FY2000-01
FEDERAL FUND est.	8,972,443	8,972,443
PROGRAM TOTAL	8,972,443	8,972,443

(7) Subsidized Adoption

	FY1999-00	FY2000-01
GENERAL FUND	1,949,741	2,182,348
PROGRAM TOTAL	1,949,741	2,182,348

(8) Domestic Violence

	FY1999-00	FY2000-01
GENERAL FUND	1,197,300	1,197,300
FEDERAL FUND est.	733,472	733,472
PROGRAM TOTAL	1,930,772	1,930,772

(9) Educational Assistance

	FY1999-00	FY2000-01
GENERAL FUND	8,579,092	8,678,581
PROGRAM TOTAL	8,579,092	8,678,581

(10) Disabled Persons and Family Support

	FY1999-00	FY2000-01
GENERAL FUND	910,000	910,000
PROGRAM TOTAL	910,000	910,000

(11) State Disabled - Medical

	FY1999-00	FY2000-01
GENERAL FUND	6,600,321	7,262,994
PROGRAM TOTAL	6,600,321	7,262,994

(12) State Disabled - Maintenance

	FY1999-00	FY2000-01
GENERAL FUND	606,694	656,140
PROGRAM TOTAL	606,694	656,140

(13) Title XX

	FY1999-00	FY2000-01

GENERAL FUND	4,629,921	4,629,921
FEDERAL FUND est.	2,136,455	2,136,455
PROGRAM TOTAL	6,766,376	6,766,376

(14) State Supplement

	FY1999-00	FY2000-01
GENERAL FUND	6,437,575	6,630,702
PROGRAM TOTAL	6,437,575	6,630,702

(15) Aid to Dependent Children

	FY1999-00	FY2000-01
GENERAL FUND	15,160,654	15,181,379
FEDERAL FUND est.	33,934,826	33,914,101
PROGRAM TOTAL	49,095,480	49,095,480

(16) Child Care

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~18,338,736~~	~~18,724,762~~
GENERAL FUND	18,338,736	17,510,762
FEDERAL FUND est.	20,263,852	20,263,852
~~PROGRAM TOTAL~~	~~38,602,588~~	~~38,988,614~~
PROGRAM TOTAL	38,602,588	37,775,614

(17) Emergency Assistance

	FY1999-00	FY2000-01
GENERAL FUND	690,824	711,549
PROGRAM TOTAL	690,824	711,549

(18) Job Support

	FY1999-00	FY2000-01
~~FEDERAL FUND est.~~	~~7,984,591~~	~~8,193,967~~
FEDERAL FUND est.	7,984,591	7,913,967
~~PROGRAM TOTAL~~	~~7,984,591~~	~~8,193,967~~
PROGRAM TOTAL	7,984,591	7,913,967

(19) Child Welfare

	FY1999-00	FY2000-01
GENERAL FUND	41,206,039	43,379,750
FEDERAL FUND est.	444,000	444,000
PROGRAM TOTAL	41,650,039	43,823,750

(20) Refugee Assistance

	FY1999-00	FY2000-01
FEDERAL FUND est.	1,192,422	1,192,422
PROGRAM TOTAL	1,192,422	1,192,422

(21) Family Support Funds

	FY1999-00	FY2000-01
GENERAL FUND	326,563	326,563
PROGRAM TOTAL	326,563	326,563

(22) Family Preservation and Support

	FY1999-00	FY2000-01
FEDERAL FUND est.	3,056,133	3,056,133
PROGRAM TOTAL	3,056,133	3,056,133

(23) Community Service Block Grant

	FY1999-00	FY2000-01
FEDERAL FUND est.	3,418,440	3,418,440

PROGRAM TOTAL 3,418,440 3,418,440

Sec. 3. Original Laws 1999, LB 880, section 103, is repealed.".

2. Underscore original section 1.

The Hilgert amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

NOTICE OF COMMITTEE HEARING
Health and Human Services

Tuesday, April 11, 2000 1:15 p.m.
Board of Emergency Medical Services
  Katherine Vasa
State Foster Care Review Board
  Carole Douglas
  Susan Gilmore
  Sheila Heieck
  Linda Lund
  Burrell Williams

(Signed) Jim Jensen, Chairperson

AMENDMENTS - Print in Journal

Senator Price filed the following amendment to LB 825:
AM3238

(Amendments to AM2040)

1. On page 10, line 10, after "temporary" insert "or permanent"; in line 12 strike "or" and insert a comma; strike beginning with "adopted" in line 12 through "thereunder" in line 13 and insert ", or any order of the director issued pursuant thereto"; in line 24 strike "or" and insert a comma and after "regulations" insert ", or an order"; and in line 25 strike "department pose" and insert "director poses".

Senators Beutler and Schrock filed the following amendment to LB 1234:
(Amendment, AM3263, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

GENERAL FILE

LEGISLATIVE BILL 1021. Title read. Considered.

The Standing Committee amendment, AM2841, found on page 1059, was considered.

Senators Hartnett and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Coordsen asked unanimous consent to replace his pending amendment, FA349, found on page 1403, with a substitute amendment. No objections. So ordered.

Senator Coordsen withdrew his amendment, FA349, found on page 1403.

Senators Schimek and Wickersham renewed their substitute pending amendment, AM3201, found on page 1470, to the Standing Committee amendment.

SENATOR CUDABACK PRESIDING

Senators Tyson and Schmitt asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

The Schimek-Wickersham amendment was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 833A. Placed on Select File.
LEGISLATIVE BILL 1003A. Placed on Select File.
LEGISLATIVE BILL 1234A. Placed on Select File.
LEGISLATIVE BILL 1008A. Placed on Select File.
LEGISLATIVE BILL 495A. Placed on Select File.

Correctly Engrossed

The following bills were correctly engrossed: LBs 812, 812A, 936, and 936A.

Enrollment and Review Change to LB 936

The following changes, required to be reported for publication in the Journal, have been made:
ER9153

1. In the E & R amendments, AM7247:

a. On page 2, line 9, a comma has been inserted after "lower"; and in line 21 "mean" has been struck and "means" inserted; and

b. On page 3, line 23, "include" has been struck and "includes" inserted.

(Signed) Adrian M. Smith, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Stuhr asked unanimous consent to be excused until she returns. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 1021. Senator Coordsen asked unanimous consent to replace his pending amendment, FA350, found on page 1404, with a substitute amendment. No objections. So ordered.

Senator Coordsen withdrew his amendment, FA350, found on page 1404.

Senator Coordsen offered the following substitute amendment to the Standing Committee amendment:
FA362
Amend AM3201
Pg. 9, line 1, strike "fifty" and insert "one hundred"
Pg. 9, line 6, strike "$50.01" and insert "100.00"

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

The Coordsen amendment was adopted with 31 ayes, 1 nay, 11 present and not voting, and 6 excused and not voting.

Senator Coordsen withdrew his amendments, FA351, FA352, and FA353, found on page 1404.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM3254

(Amendments to AM3201)

1. On page 6, line 4, after "(4)" insert "In determining the value and source of a gift for purposes of this section, an official or employee may rely upon a statement of value and source with respect to the gift. Any person giving a gift shall give the official or employee a statement of value and source at the time the gift is given if the official or employee requests such a statement.
(5)"; and in line 6 strike "(5)" and insert "(6)".
2. On page 9, line 7, after "more" insert ". In determining the value and source of a gift for purposes of this section, an official or employee may rely upon a statement of value and source with respect to the gift. Any person giving a gift

shall give the official or employee a statement of value and source at the time the gift is given if the official or employee requests such a statement".

Senators Jones and Dierks asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM3227
(Amendments to AM3201)
1. On page 5, line 22, strike "A gift", show as stricken, and insert "An item of value".
2. On page 6, line 4, strike "A gift of an" and insert "An"; and in line 5 after "given" insert "by any agency, political subdivision, or publicly funded postsecondary educational institution and accepted".

Pending.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendments to LB 1330:
FA371
Strike the emergency clause.

FA372
Repeal outright sections 77-4901 to 77-4935.

MOTION - Print in Journal

Senator Chambers filed the following motion to LB 1330:
To indefinitely postpone.

AMENDMENTS - Print in Journal

Senator Chambers filed the following amendments to LB 1330:
FA373
Repeal outright section 77-4901

FA374
Repeal outright section 77-4908

FA375
Repeal outright section 77-4912

FA376
Repeal outright section 77-4916

FA377
Repeal outright section 77-4917

FA378
Repeal outright section 77-4927

FA379
Repeal outright section 77-4927.01

FA380
Repeal outright section 77-4928

FA381
Repeal outright section 77-4929

FA382
Repeal outright section 77-4930

FA383
Repeal outright section 77-4931

FA384
Repeal outright section 77-4932

FA385
Repeal outright section 77-4933

FA386
Repeal outright section 77-4934

FA387
Repeal outright section 77-4934.01

FA388
Repeal outright section 77-4935

Senator Schrock filed the following amendment to LB 1234:
AM3271

(Amendments to E & R amendments, AM7251)

1. Insert the following new sections:

"Sec. 6. Section 46-656.25, Reissue Revised Statutes of Nebraska, is amended to read:

46-656.25. (1) A district in which a management area has been designated shall by order adopt one or more of the following controls for the management area:

(a) It may determine the permissible total withdrawal of ground water for each day, month, or year and allocate such withdrawal among the ground water users;

(b) It may adopt a system of rotation for use of ground water;

(c) It may adopt well-spacing requirements more restrictive than those found in sections 46-609 and 46-651;

(d) It may require the installation of devices for measuring ground water withdrawals from water wells;

(e) It may adopt a system which requires reduction of irrigated acres pursuant to subsection (2) of section 46-656.26;

(f) It may limit or prevent the expansion of irrigated acres;

(g) It may require the use of best management practices;

(h) ~~(g)~~ It may require the analysis of water or deep soils for fertilizer and chemical content;

(i) ~~(h)~~ It may provide educational requirements, including mandatory educational requirements, designed to protect water quality or to stabilize or reduce the incidence of ground water depletion, conflicts between ground water users and surface water appropriators, disputes over interstate compacts or decrees, or difficulties fulfilling the provisions of other formal state contracts or agreements;

(j) ~~(i)~~ It may require water quality monitoring and reporting of results to the district for all water wells within all or part of the management area; ~~and~~

(k) It may close all or a portion of the management area to the issuance of additional permits or may condition the issuance of additional permits on compliance with other rules and regulations adopted and promulgated by the district to achieve the purpose or purposes for which the management area was designated. This subdivision may be implemented whenever the district determines the impact on surface water supplies or the depletion or contamination of the ground water supply in the management area or any portion of the management area cannot be protected through implementation of reasonable controls specified in subdivisions (1)(a) through (1)(j) of this section; and

(l) ~~(j)~~ It may adopt and promulgate such other reasonable rules and regulations as are necessary to carry out the purpose for which a management area was designated.

(2) In adopting, amending, or repealing any control authorized by subsection (1) of this section or sections 46-656.26 and 46-656.27, the district's considerations shall include, but not be limited to, whether it reasonably appears that such action will mitigate or eliminate the condition which led to designation of the management area or will improve the administration of the area.

(3) Upon request by the district, the Director of Water Resources shall review and comment on the adoption, amendment, or repeal of any authorized control in a management area. The director may hold a public hearing to consider testimony regarding

the control prior to commenting on the adoption, amendment, or repeal of the control. The director shall consult with the district and fix a time, place, and date for such hearing. In reviewing and commenting on an authorized control in a management area, the director's considerations shall include, but not be limited to, those enumerated in subsection (2) of this section.

(4) If because of varying ground water uses, varying surface water uses, different irrigation distribution systems, or varying climatic, hydrologic, geologic, or soil conditions existing within a management area the uniform application throughout such area of one or more controls would fail to carry out the intent of the Nebraska Ground Water Management and Protection Act in a reasonably effective and equitable manner, the controls adopted by the district pursuant to this section may contain different provisions for different categories of ground water use or portions of the management area which differ from each other because of varying climatic, hydrologic, geologic, or soil conditions. Any differences in such provisions shall recognize and be directed toward such varying ground water uses or varying conditions. Except as otherwise provided in this section, the provisions of all controls for different categories of ground water use shall be uniform for all portions of the area which have substantially similar climatic, hydrologic, geologic, and soil conditions.

(5) The district may establish different water allocations for different irrigation distribution systems, on the condition that such different water allocations shall be authorized for no more than five years from the time such allocations are adopted.

(6)(a) The district may establish different provisions for different hydrologic relationships between ground water and surface water.

(b) For management areas a purpose of which is the integrated management of hydrologically connected ground water and surface water, the district may establish different provisions for water wells constructed before the designation of a management area for integrated management of hydrologically connected ground water and surface water and for water wells constructed on or after the designation date or any other later date or dates established by the district.

(c) The district shall make a replacement water well as defined in section 46-602, or as further defined in district rules and regulations, subject to the same provisions as the water well it replaces.

(7) ~~If the district determines, following a public hearing conducted pursuant to section 46-656.19, that the impact on surface water supplies or the depletion or contamination of the ground water supply in the management area or any portion of the management area is so excessive that the public interest cannot be protected solely through implementation of reasonable controls~~

~~adopted pursuant to subsection (1) of this section, it may close all or a portion of the management area to the issuance of any additional permits for a period of not more than five calendar years. The area may be further closed thereafter by a similar procedure for additional time periods of the same length. Any such area may be reopened at any time the district determines that conditions warrant new permits at which time the district shall consider all previously submitted applications for permits in the order in which they were received.~~

~~(8)~~ Whenever a management area designated under section 46-656.39 or 46-656.52 encompasses portions of two or more districts, the responsibilities and authorities delegated in this section and sections 46-656.26 and 46-656.27 shall be exercised jointly and uniformly by agreement of the respective boards of all districts so affected. Whenever management areas designated by two or more districts adjoin each other, the districts are encouraged to exercise the responsibilities and authorities jointly and uniformly by agreement of the respective boards.

(8) ~~(9)~~ For the purpose of determining whether conflicts exist between ground water users and surface water appropriators, surface water appropriators under the Nebraska Ground Water Management and Protection Act does not include holders of instream flow appropriations under sections 46-2,107 to 46-2,119.

Sec. 7. Section 46-656.26, Reissue Revised Statutes of Nebraska, is amended to read:

46-656.26. (1) If allocation is adopted for use of ground water for irrigation purposes in a management area, the permissible withdrawal of ground water shall be allocated equally per irrigated acre except as permitted by subsections (4) through (6) of section 46-656.25. Such allocation shall specify the total number of acre-inches that are allocated per irrigated acre per year, except that the district may allow a ground water user to average his or her allocation over any reasonable period of time. ~~not to exceed five years.~~ A ground water user may use his or her allocation on all or any part of the irrigated acres to which the allocation applies or in any other manner approved by the district.

(2) If annual rotation or reduction of irrigated acres is adopted for use of ground water for irrigation purposes in a management area, the nonuse of irrigated acres shall be a uniform percentage reduction of each landowner's irrigated acres within the management area or a subarea of the management area. Such uniform reduction may be adjusted for each landowner based upon crops grown on his or her land to reflect the varying consumptive requirements between crops.

Sec. 8. Section 46-656.27, Reissue Revised Statutes of Nebraska, is amended to read:

46-656.27. A district may ~~annually and shall at least once every three years~~ review any allocation, rotation, or reduction control imposed in a management area and shall adjust allocations, rotations, or reductions to accommodate new or additional uses or otherwise reflect findings of such review, consistent with the ground water management objectives. Such review shall consider new development or additional ground water uses within the area, more accurate data or information that was not available at the time of the allocation, rotation, or reduction order, the availability of supplemental water supplies, any changes in ground water recharge, and such other factors as the district deems appropriate.

Sec. 9. Original sections 46-656.25, 46-656.26, and 46-656.27, Reissue Revised Statutes of Nebraska, are repealed.".

2. Insert underscoring in sections 1 to 5.

Senator Coordsen filed the following amendment to LB 171:
AM3270

(Amendments to Final Reading copy)

1. On page 2, line 13, strike "one-half" and insert "one-quarter".

VISITORS

Visitors to the Chamber were 42 fourth grade students and teacher from Ravenna Elementary School; 42 fourth grade students and teachers from Stanton Elementary School; 40 fourth grade students and teacher from Elliott Elementary School, Lincoln; and 45 fourth grade students and teachers from Milford Elementary School.

RECESS

At 12:01 p.m., on a motion by Senator Vrtiska, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senator Hilgert who was excused; and Senators Brown, Dierks, Engel, Jones, Landis, Lynch, Schrock, Stuhr, and Suttle who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1021. Senator Beutler asked unanimous consent to replace his pending amendment, AM3227, found on page 1547, with a substitute amendment. No objections. So ordered.

Senator Beutler withdrew his amendment, AM3227, found on page 1547.

Senator Beutler offered the following substitute amendment to the Standing Committee amendment:
AM3281

(Amendments to AM3201)

1. On page 5, line 22, strike "A gift", show as stricken, and insert "An item of value".

2. On page 6, line 4, strike "A gift of an" and insert "An"; and in line 5 after "given" insert "by any sponsoring agency, political subdivision, or publicly funded postsecondary educational institution and accepted".

The Beutler amendment was adopted with 25 ayes, 2 nays, 12 present and not voting, and 10 excused and not voting.

Senator Beutler offered the following amendment to the Standing Committee amendment:
AM3226

(Amendments to AM3201)

1. On page 4, lines 13 and 14 and 25, strike "gift with a" and insert "gifts with an aggregate".

Senator Brashear asked unanimous consent to be excused. No objections. So ordered.

Senator Price asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senator Bromm offered the following amendment to the Standing Committee amendment:
AM3256

(Amendments to AM3201)

1. On page 2, strike lines 22 through 27 and insert the following new subdivision:

"(b) For purposes of entertainment expenses reported under subdivision (1)(a)(ii) of this section, admissions reported under subdivision (1)(a)(vii) of this section, and gifts reported under subdivision (1)(c) of this section, the statement shall disclose the expenses for such entertainment, admissions, and gifts for each member of the Legislature, except that aggregate amounts may be reported for events to which all members of the Legislature are invited and except that amounts of less than five dollars per occasion for food and drink need not be reported under this section. For purposes of entertainment expenses reported under subdivision (1)(a)(ii) of this section, admissions reported under subdivision (1)(a)(vii) of this section, and gifts reported under subdivision (1)(c) of this section, the statement shall disclose the aggregate amounts for such entertainment, admissions, and gifts for officials in the executive branch of state government, except that amounts of less than five dollars per occasion for food and drink need not be reported under this section.".

2. On page 3, strike lines 1 through 5.

Senator Baker asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bromm withdrew his amendment.

The Standing Committee amendment, AM2841, as amended, was adopted with 34 ayes, 1 nay, 9 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 35 ayes, 2 nays, 7 present and not voting, and 5 excused and not voting.

AMENDMENTS - Print in Journal

Senator Wickersham filed the following amendment to LB 1021:
AM3277

(Amendments to AM3201)

1. Insert the following new sections:

"Sec. 2. Section 49-1403, Reissue Revised Statutes of Nebraska, is amended to read:

49-1403. For purposes of the Nebraska Political Accountability and Disclosure Act, unless the context otherwise requires, the definitions found in sections 49-1404 to 49-1444 and section 3 of this act shall be used.

Sec. 3. Relative shall mean a spouse, father, mother, grandfather, grandmother, brother, sister, son, daughter, child or children legally adopted as such in conformity with the laws of the state where adopted, any lineal descendant, any lineal descendant legally adopted as such in conformity with the laws of the state where adopted, any person to whom an individual for not less than ten years prior to receipt of a gift or loan has stood in the acknowledged relation of a parent, or the spouse or surviving spouse of any such persons.".

2. On page 1, lines 5 and 6, strike "4 and 6" and insert "3, 6, and 8".

3. On page 5, line 12, strike "4" and insert "6"; and strike beginning with "member" in line 22 through "such" in line 23 and show as stricken.

4. On page 9, line 16, strike "6 and 7" and insert "8 and 9"; and in line 19 after "sections" insert "49-1403,".

5. Renumber the remaining sections accordingly.

Senator Wehrbein filed the following amendment to LB 1410:
AM3273

1. Insert the following new sections:

"Sec. 3. Section 90-404, Reissue Revised Statutes of Nebraska, is amended to read:

90-404. (1) The Game and Parks Commission may enter into an agreement to accept as a gift from the Nebraska Game and Parks Foundation all of the real estate described as Lot 1 in the northwest quarter of the northwest quarter of section 8, township 8 north, range 14 east, Otoe County, Nebraska, except that part of Lot 1, commencing at the northwest corner of Lot 1, thence east 265 feet, thence south 462 feet, thence west 265 feet to a point on the west line of Lot 1, thence north 462 feet to the place of beginning, also described as the east 678.14 feet of Lot 1, all located in Otoe County, Nebraska, containing 7.1 acres more or less and including all gas, oil, and mineral rights.

(2) The Game and Parks Commission may enter into an agreement to accept as a gift from the United States Government all of the real estate described as a tract of land situated in the southwest quarter of section 8, township 8 north, range 14 east of the 6th principal meridian, Otoe County, Nebraska, more particularly described as follows: Commencing at the northeast corner of said southwest quarter of section 8; thence west 990.00 feet; thence south to a point that intersects the north right-of-way line of State Highway No. 2, said intersection being the point of beginning; thence easterly along said north right-of-way line of State Highway No. 2, for a distance of 200 feet; thence north 400 feet; thence west 200 feet; thence south to the point of beginning, all located in Otoe County, Nebraska, containing 1.84 acres, more or less, or 80,000 square feet.

(3) In consideration of such ~~conveyance~~ conveyances, the commission agrees that the land shall be designated and utilized as ~~an addition~~ additions to Arbor Lodge State Historical Park.

Sec. 4. Original section 90-404, Reissue Revised Statutes of Nebraska, is repealed.".

2. Insert underscoring in sections 1 and 2 and renumber the remaining section accordingly.

Senator Jensen filed the following amendment to LB 819:
AM3242
(Amendments to Standing Committee amendments, AM3133)

1. On page 7, line 18, strike "(1)"; and strike lines 23 through 25.

2. On page 27, line 19, after "facilities" insert "and skilled nursing facilities".

3. On page 31, after line 15, insert the following new subsection:

"(6) For purposes of the Life Safety Code under section 81-502, an assisted-living facility shall be classified as (a) residential board and care if the facility meets the residential board and care classification requirements of the Life Safety Code or (b) limited care if the facility meets the limited care classification requirements of the Life Safety Code.".

4. On page 111, line 15, after "facility" insert "or a skilled nursing facility"; and in line 16 strike "section", show as stricken, and insert "sections" and after "24" insert "and 29".

5. On page 118, line 9, after "facility" insert "or a skilled nursing facility"; in line 10 strike "section 24" and insert "sections 24 and 29"; and strike beginning with "and" in line 10 through the period in line 11, show the old matter as stricken, and insert an underscored period.

6. On page 122, line 13, after "facility" insert "or a skilled nursing facility".

7. On page 132, strike beginning with "an" in line 22 through the underscored comma in line 23; in line 23 strike the second comma and show as stricken; and in line 25 strike "20," and the second underscored comma.

8. On page 133, line 3, strike "20," and the second underscored comma; and strike beginning with the comma in line 5 through the period in line 7, show the old matter as stricken, and insert an underscored period.

Senator Schrock filed the following amendment to LB 1234A:
AM3274

1. Insert the following new section:

"Sec. 2. There is hereby appropriated (1) $500,000 from the Construction Administration Fund for FY2000-01 and (2) $500,000 from the Construction Administration Fund for FY2001-02 to the Department of Environmental Quality, for Program 523, to aid in carrying out the provisions of Legislative Bill 1234, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2000-01 $500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2001-02 $500,000 Cash Funds for state aid, which shall only be used for such purpose.".

MOTION - Print in Journal

Senators Wehrbein and Jones filed the following motion to LB 341:
To place LB 341 on General File pursuant to Rule 3, Section 19, of the legislative rules.

GENERAL FILE

LEGISLATIVE BILL 1223. Title read. Considered.

The Standing Committee amendment, AM2760, printed separately and referred to on page 1025, was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1223A. Title read. Considered.

Advanced to E & R for review with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 972. Title read. Considered.

PRESIDENT MAURSTAD PRESIDING

Senator Cudaback asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, AM2558, found on page 982, was considered.

Senator Bourne renewed his pending amendment, AM2699, found on page 1057, to the Standing Committee amendment.

Pending.

AMENDMENTS - Print in Journal

Senator Kristensen filed the following amendment to LB 972:
AM3268

(Amendments to Standing Committee amendments, AM2558)

1. On page 3, line 22, strike "manager of" and insert "vendor operating" and after "Unit" insert "or his or her designee".
2. On page 4, strike beginning with "by" in line 18 through "Council" in line 20.
3. On page 5, line 15, strike "no further" and insert "for the following year, no" and strike "that future".

Senator Kristensen filed the following amendment to LB 972A:
AM3275

1. Insert the following new section:

"Sec. 6. There is hereby appropriated (1) $30,000 from the General Fund and $60,000 from federal funds for FY2000-01 and (2) $30,000 from the General Fund and $60,000 from the federal funds for FY2001-02 to the Legislative Council, for Program 122, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

Senator Brown filed the following amendment to LB 972A:
AM3120

1. Strike the original sections and insert the following new sections:

"Section 1. There is hereby appropriated $100,000 from the General Fund for FY2000-01 to the Department of Health and Human Services Finance and Support, for Program 339, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. There is hereby appropriated (1) $1,060,389 from the General Fund and $2,058,402 from federal funds for FY2000-01 and (2) $1,758,136 from the General Fund and $3,218,735 from federal funds for FY2001-02 to the State Treasurer, for Program 24, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $105,060 for FY2000-01 or $933,072 for FY2001-02.

Sec. 3. There is hereby appropriated $20,000 from the Accounting Division Revolving Fund for FY2000-01 to the Department of Administrative Services, for Program 567, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 4. There is hereby appropriated $40,500 from the State Building Revolving Fund for FY2001-02 and to the Department of Administrative Services, for Program 560, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 5. There is hereby appropriated $1,932,572 from the Telephone Expense Revolving Fund for FY2001-02 to the Department of Administrative Services, for Program 173, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 6. There is hereby appropriated $1,192,209 from the

General Fund and $2,314,291 from federal funds for FY2001-02 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $1,186,774 for FY2001-02.".

Senator Beutler filed the following amendment to LB 1401:
AM3272

(Amendments to Final Reading copy)

1. Insert the following new section:

"Sec. 15. In addition to the criteria set out in section 79-1007.01, no student shall be counted as having limited English proficiency for purposes of such section unless (1) the student actually has an English language deficit resulting from a non-English-speaking background and (2) the school district which the student attends is in fact incurring substantial expenditures to remedy the student's English language deficit. The State Department of Education shall audit a sufficient number of school districts identifying limited English proficiency students to insure compliance with the law.".

2. On page 1, line 15, after the second comma insert "limited English proficiency students,".

3. Renumber the remaining sections accordingly.

REPORT OF THE EXECUTIVE BOARD

2000 Resolution calling for an Interim Study

The following legislative study resolution was rereferenced:

LR 409 Rereferred from Government, Military and Veterans Affairs to Revenue

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 352 with 38 ayes, 3 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 352. With Emergency.

A BILL FOR AN ACT relating to disabled persons; to amend sections 83-210.01 to 83-210.03, 83-211, 83-211.02, and 84-1604.01, Reissue Revised Statutes of Nebraska, and section 71-4720.01, Revised Statutes Supplement, 1998; to adopt the Commission for the Blind and Visually Impaired Act; to eliminate provisions relating to the Department of Health and Human Services; to provide for a voice newspaper delivery system and a technology access contract clause; to eliminate a videotext service; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 83-210.04 to 83-210.07 and 83-212, Reissue Revised Statutes of Nebraska, and section 71-4733, Revised Statutes Supplement, 1998; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Aguilar
Beutler
Bohlke
Bourne
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Quandahl
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Vrtiska
Wehrbein

Voting in the negative, 10:

Baker
Bromm
Brown
Jones
Price
Raikes
Redfield
Thompson
Tyson
Wickersham

Excused and not voting, 2:

Brashear
Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 352A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, sections 92, 99, and 106; to appropriate funds to aid in carrying out the provisions of Legislative Bill 352, Ninety-sixth Legislature, Second Session, 2000; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to

procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Aguilar	Beutler	Bohlke	Bourne	Bromm
Bruning	Byars	Chambers	Connealy	Coordsen
Crosby	Cudaback	Dickey	Dierks	Engel
Hartnett	Hudkins	Janssen	Jensen	Jones
Kiel	Kremer	Landis	Lynch	Matzke
Pedersen, Dw.	Pederson, D.	Preister	Quandahl	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 7:

Baker	Brown	Price	Raikes	Redfield
Thompson	Tyson			

Excused and not voting, 3:

Brashear	Hilgert	Kristensen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 153. With Emergency.

A BILL FOR AN ACT relating to the Nebraska State Patrol; to create a task force to study the patrol; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Bromm	Brown	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hudkins	Janssen
Jensen	Jones	Kiel	Kremer	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Redfield	Robak	Schimek
Schmitt	Schrock	Smith	Stuhr	Suttle
Thompson	Tyson	Vrtiska	Wehrbein	Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Raikes

Excused and not voting, 3:

Brashear Hilgert Kristensen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 153A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 153, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar
Bromm
Connealy
Engel
Jones
Pedersen, Dw.
Raikes
Schrock
Tyson
Baker
Brown
Coordsen
Hartnett
Kiel
Pederson, D.
Redfield
Smith
Vrtiska
Beutler
Bruning
Cudaback
Hudkins
Kremer
Preister
Robak
Stuhr
Wehrbein
Bohlke
Byars
Dickey
Janssen
Landis
Price
Schimek
Suttle
Wickersham
Bourne
Chambers
Dierks
Jensen
Matzke
Quandahl
Schmitt
Thompson

Voting in the negative, 0.

Present and not voting, 2:

Crosby Lynch

Excused and not voting, 3:

Brashear Hilgert Kristensen

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 289. With Emergency.

A BILL FOR AN ACT relating to zoning and planning; to amend section

23-114, Revised Statutes Supplement, 1999; to provide central filing for county zoning regulations; to harmonize provisions; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 35:

Aguilar
Bruning
Cudaback
Hudkins
Kristensen
Robak
Suttle
Baker
Byars
Dickey
Janssen
Matzke
Schimek
Tyson
Bohlke
Connealy
Dierks
Jones
Pedersen, Dw.
Schrock
Vrtiska
Bourne
Coordsen
Engel
Kiel
Pederson, D.
Smith
Wehrbein
Brown
Crosby
Hartnett
Kremer
Price
Stuhr
Wickersham

Voting in the negative, 11:

Beutler
Lynch
Thompson
Bromm
Preister
Chambers
Raikes
Jensen
Redfield
Landis
Schmitt

Present and not voting, 1:

Quandahl

Excused and not voting, 2:

Brashear
Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senator Crosby asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 289A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 289, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 37:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jones
Kiel
Kremer
Kristensen
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Price
Raikes
Robak
Schimek
Schrock
Smith
Stuhr
Suttle
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 8:

Bromm
Chambers
Jensen
Landis
Preister
Redfield
Schmitt
Thompson

Present and not voting, 1:

Quandahl

Excused and not voting, 3:

Brashear
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 482.

A BILL FOR AN ACT relating to wards of the state; to provide for payments to adoptive parents.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar
Baker
Beutler
Bohlke
Bourne
Bromm
Brown
Bruning
Byars
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Connealy
Kristensen

Excused and not voting, 3:

Brashear
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 482A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 482, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Bourne
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Chambers

Excused and not voting, 3:

Brashear
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 557.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.15, Revised Statutes Supplement, 1999; to exempt purchases by city, county, or joint airport authorities from sales and use taxes; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

Aguilar	Beutler	Bohlke	Bromm	Bruning
Byars	Coordsen	Cudaback	Dickey	Dierks
Engel	Hudkins	Janssen	Jones	Kiel
Kremer	Kristensen	Matzke	Pedersen, Dw.	Pederson, D.
Quandahl	Raikes	Robak	Schimek	Schmitt
Schrock	Smith	Stuhr	Thompson	Tyson
Wehrbein	Wickersham			

Voting in the negative, 10:

Baker	Bourne	Chambers	Hartnett	Jensen
Landis	Lynch	Price	Redfield	Suttle

Present and not voting, 4:

Brown	Connealy	Preister	Vrtiska

Excused and not voting, 3:

Brashear	Crosby	Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 652 with 36 ayes, 2 nays, 8 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 652. With Emergency.

A BILL FOR AN ACT relating to juvenile corrections; to amend sections 43-251.01, 43-258, 43-284, 43-286, 43-290, 43-401, 43-403, 43-404, 43-405, 43-407, 43-408, 43-416, 83-107.01, 83-905, and 83-905.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the placement and confinement of juveniles; to transfer and rename the secure youth confinement facility and fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar
Baker
Beutler
Bohlke
Bourne
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 2:

Chambers
Kristensen

Present and not voting, 2:

Jones
Wickersham

Excused and not voting, 3:

Brashear
Crosby
Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senator Bromm asked unanimous consent to be excused. No objections. So ordered.

LEGISLATIVE BILL 652A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 652, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield

Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Jones Kristensen

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 717.

A BILL FOR AN ACT relating to the Nebraska Emergency Planning and Community Right to Know Act; to amend sections 81-15,191, 81-15,193, and 81-15,214, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the source and use of certain funds; to provide powers and duties; to state intent; to provide a termination date; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar Baker Bohlke Bourne Brown
Bruning Byars Chambers Connealy Coordsen
Cudaback Dickey Dierks Engel Hartnett
Hudkins Janssen Jensen Kiel Kremer
Kristensen Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Redfield Robak Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Beutler Jones

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 717A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 717, Ninety-sixth Legislature, Second Session, 2000; and to provide for transfers.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar Baker Bourne Brown Bruning
Byars Chambers Connealy Coordsen Dickey
Dierks Engel Hartnett Hudkins Janssen
Jensen Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 4:

Beutler Bohlke Cudaback Jones

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 922. With Emergency.

A BILL FOR AN ACT relating to courts; to amend section 43-2,119, Reissue Revised Statutes of Nebraska, and section 24-301.02, Revised Statutes Supplement, 1998; to provide additional district court and juvenile court judgeships; to provide an operative date; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Kiel
Kremer Kristensen Landis Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Redfield Robak Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Jones Lynch

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 922A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 922, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Kiel
Kremer Kristensen Landis Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson

Tyson Vrtiska Wehrbein

Voting in the negative, 0.

Present and not voting, 2:

Jones Wickersham

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 352, 352A, 153, 153A, 289, 289A, 482, 482A, 557, 652, and 652A.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 950. With Emergency.

A BILL FOR AN ACT relating to children; to adopt the Infant Hearing Act; to provide for insurance and medicaid payments; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Aguilar Beutler Bohlke Bourne Bruning
Byars Chambers Connealy Coordsen Cudaback
Dickey Dierks Engel Hartnett Hudkins
Janssen Jensen Kiel Kremer Kristensen
Landis Matzke Pedersen, Dw. Preister Price
Quandahl Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Raikes

Present and not voting, 5:

Baker Brown Jones Lynch Pederson, D.

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 950A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 950, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 37:

Aguilar Beutler Bohlke Bourne Bruning
Byars Chambers Connealy Coordsen Cudaback
Dickey Dierks Engel Hartnett Hudkins
Janssen Jensen Kremer Kristensen Matzke
Pedersen, Dw. Preister Price Quandahl Raikes
Redfield Robak Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 8:

Baker Brown Jones Kiel Landis
Lynch Pederson, D. Vrtiska

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 957. With Emergency.

A BILL FOR AN ACT relating to the environment; to amend sections

81-15,167, 81-15,169, 81-15,173, 81-15,174, 81-15,175, and 81-15,176, Reissue Revised Statutes of Nebraska; to create the Carbon Sequestration Advisory Committee; to provide duties; to create funds; to change provisions of the Nebraska Environmental Trust Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Thompson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Kristensen

Present and not voting, 3:

Jones
Suttle
Tyson

Excused and not voting, 4:

Brashear
Bromm
Crosby
Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 957A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 957, Ninety-sixth Legislature, Second Session, 2000; to state intent; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Kiel
Kremer Kristensen Landis Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Redfield Schimek Schmitt Schrock Smith
Stuhr Thompson Vrtiska Wehrbein

Voting in the negative, 0.

Present and not voting, 6:

Jones Lynch Robak Suttle Tyson
Wickersham

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1092.

A BILL FOR AN ACT relating to agriculture; to state intent; and to provide for a state meat inspection pilot program.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Redfield Robak Schimek Schmitt
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Raikes Schrock

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1092A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1092, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Bruning Byars Chambers Connealy Coordsen
Cudaback Dickey Dierks Engel Hartnett
Hudkins Janssen Jensen Jones Kiel
Kremer Kristensen Landis Lynch Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Robak Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1107.

A BILL FOR AN ACT relating to school finance; to amend section 79-1008.02, Revised Statutes Supplement, 1998, and sections 77-3442, 79-1015.01, and 79-1031, Revised Statutes Supplement, 1999; to change the calculation of local effort rate; to adjust levy amounts; to change a duty to provide estimates; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Aguilar Baker Bohlke Bourne Bruning
Byars Connealy Coordsen Cudaback Dickey
Dierks Engel Hartnett Hudkins Janssen
Jones Kiel Kremer Landis Lynch
Matzke Preister Price Raikes Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 10:

Beutler Brown Chambers Jensen Kristensen
Pedersen, Dw. Pederson, D. Quandahl Redfield Thompson

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1107A. Senator Wickersham asked unanimous consent to pass over. No objections. So ordered.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 717, 717A, 922, 922A, 950, 950A, 957, and 957A.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1243 with 34 ayes, 3 nays, 8 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1243.

A BILL FOR AN ACT relating to schools; to amend sections 79-534 and 79-535, Reissue Revised Statutes of Nebraska, sections 79-215 and 79-1115, Revised Statutes Supplement, 1998, and sections 9-812, 79-1125.01, 79-1142, and 79-1145, Revised Statutes Supplement, 1999; to change admission and tuition provisions; to change provisions relating to special education; to change and eliminate definitions and usage of terms; to change reimbursement; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-1123, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brown	Bruning	Byars	Chambers	Connealy
Coordsen	Cudaback	Dickey	Dierks	Engel
Hudkins	Janssen	Jensen	Jones	Kiel
Kremer	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Robak	Schimek	Schmitt	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 1:

Hartnett

Present and not voting, 1:

Kristensen

Excused and not voting, 4:

Brashear	Bromm	Crosby	Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1243A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1243, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Hartnett

Present and not voting, 2:

Kristensen
Robak

Excused and not voting, 4:

Brashear
Bromm
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 480.

A BILL FOR AN ACT relating to women's health; to create the Women's Health Initiative of Nebraska; to create an advisory council and a fund; and to provide duties.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Cudaback
Janssen
Kiel
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Stuhr
Suttle
Thompson
Wickersham

Voting in the negative, 15:

Aguilar
Dickey
Dierks
Engel
Hartnett
Hudkins
Jensen
Jones
Kremer
Pederson, D.
Redfield
Smith
Tyson
Vrtiska
Wehrbein

Present and not voting, 2:

Baker Preister

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 480A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 480, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Beutler Bohlke Bourne Bruning Byars
Chambers Connealy Coordsen Cudaback Janssen
Kiel Kristensen Landis Lynch Matzke
Pedersen, Dw. Price Quandahl Raikes Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Wickersham

Voting in the negative, 8:

Aguilar Engel Hudkins Jensen Jones
Pederson, D. Redfield Tyson

Present and not voting, 9:

Baker Brown Dickey Dierks Hartnett
Kremer Preister Vrtiska Wehrbein

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 414 with 35 ayes, 3 nays, 7 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 414.

A BILL FOR AN ACT relating to courts; to amend sections 7-111, 22-417, 23-2504, 24-345, 24-507 to 24-509, 24-519, 24-520, 24-703, 24-709, 24-1002, 29-103, 29-403, 29-812, 29-3901, 30-2218, 30-2402, 33-106.02, 42-108, 43-2,123, 49-502, 49-801, 72-240.14, 76-706, and 77-2019, Reissue Revised Statutes of Nebraska, sections 24-228 and 24-709.02, Revised Statutes Supplement, 1998, and sections 11-119, 11-125, 11-126, 23-120, 23-121, 23-1114.03 to 23-1114.06, 23-2518, 24-513, 24-701, 24-706, and 76-723, Revised Statutes Supplement, 1999; to transition the office of the clerk of the district court from a county reimbursed to a state reimbursed position; to create the position of clerk of the courts; to eliminate the position of clerk magistrate and election of clerks of the district courts; to require a study; to provide intent; to provide duties; to eliminate obsolete requirements; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-524, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 25:

Baker
Beutler
Bohlke
Bourne
Brown
Byars
Chambers
Connealy
Dickey
Hartnett
Hudkins
Kiel
Kristensen
Landis
Pedersen, Dw.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schrock
Suttle
Thompson
Wehrbein

Voting in the negative, 19:

Bruning
Coordsen
Cudaback
Dierks
Engel
Janssen
Jensen
Jones
Kremer
Lynch
Matzke
Pederson, D.
Redfield
Schmitt
Smith
Stuhr
Tyson
Vrtiska
Wickersham

Present and not voting, 1:

Aguilar

Excused and not voting, 4:

Brashear
Bromm
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 414A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 414, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 26:

Baker Beutler Bohlke Bourne Brown
Chambers Connealy Dickey Hartnett Hudkins
Janssen Kiel Kristensen Landis Pedersen, Dw.
Preister Price Quandahl Raikes Robak
Schimek Schrock Suttle Thompson Wehrbein
Wickersham

Voting in the negative, 12:

Bruning Engel Jensen Jones Kremer
Matzke Pederson, D. Redfield Schmitt Smith
Stuhr Tyson

Present and not voting, 7:

Aguilar Byars Coordsen Cudaback Dierks
Lynch Vrtiska

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1363.

A BILL FOR AN ACT relating to labor; to create the Task Force on the Productive Integration of the Immigrant Workforce Population; to provide for a Meatpacking Industry Worker Rights Coordinator; to provide powers and duties; to create a fund; and to provide a termination date.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dierks Engel Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Landis Lynch Matzke Pedersen, Dw.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Dickey Hartnett Pederson, D.

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1363A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1363, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar Baker Beutler Bohlke Bourne
Bruning Byars Chambers Connealy Coordsen
Cudaback Dickey Dierks Engel Hartnett
Hudkins Janssen Jensen Jones Kiel
Kremer Kristensen Landis Lynch Matzke
Pedersen, Dw. Preister Price Quandahl Raikes
Redfield Robak Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Brown Pederson, D.

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1092, 1092A, 1107, 1243, 1243A, 480, 480A, 414, and 414A.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1399. With Emergency.

A BILL FOR AN ACT relating to teachers; to provide for a salary study; to create a task force; to provide a termination date; to adopt the Master Teacher Program Act; to adopt the Attracting Excellence to Teaching Program Act; to provide duties for the Nebraska Volunteer Service Commission; to provide severability; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Tyson

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1399A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1399, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar
Brown
Coordsen
Hartnett
Kiel
Matzke
Raikes
Schrock
Vrtiska
Baker
Bruning
Cudaback
Hudkins
Kremer
Pedersen, Dw.
Redfield
Smith
Wehrbein
Beutler
Byars
Dickey
Janssen
Kristensen
Preister
Robak
Stuhr
Wickersham
Bohlke
Chambers
Dierks
Jensen
Landis
Price
Schimek
Suttle
Bourne
Connealy
Engel
Jones
Lynch
Quandahl
Schmitt
Thompson

Voting in the negative, 1:

Tyson

Present and not voting, 1:

Pederson, D.

Excused and not voting, 4:

Brashear
Bromm
Crosby
Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1124. With Emergency.

A BILL FOR AN ACT relating to revenue and taxation; to create the Greenbelt Advisory Committee; to provide powers and duties; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1124A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1124, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Bourne
Brown Bruning Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hudkins Janssen Jensen Jones
Kiel Kremer Kristensen Landis Lynch
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Robak Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 4:

Brashear Bromm Crosby Hilgert

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1348.

A BILL FOR AN ACT relating to economic development; to amend sections 81-1299, 81-12,102, and 81-12,103, Reissue Revised Statutes of Nebraska; to adopt the Agricultural Opportunities and Value-Added Partnerships Act; to provide a termination date; to state intent relating to appropriations; to change provisions relating to the Microenterprise Partnership Program; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brown	Bruning	Byars	Chambers	Connealy
Coordsen	Cudaback	Dickey	Dierks	Engel
Hartnett	Hudkins	Janssen	Jones	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Preister	Price	Quandahl	Raikes	Robak
Schmitt	Schrock	Smith	Stuhr	Thompson
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 6:

Jensen	Kiel	Pederson, D.	Redfield	Schimek
Suttle				

Excused and not voting, 4:

Brashear	Bromm	Crosby	Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1348A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1348, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Cudaback
Dickey
Dierks
Hartnett
Hudkins
Janssen
Jones
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 6:

Engel
Jensen
Kiel
Pederson, D.
Redfield
Suttle

Excused and not voting, 4:

Brashear
Bromm
Crosby
Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1363, 1363A, 1399, 1399A, 1124, 1124A, 1348, and 1348A.

AMENDMENT - Print in Journal

Senator Wickersham filed the following amendment to LB 1107A:
AM3286

(Amendments to Final Reading copy)

1. Strike the original section and insert the following new sections:

"Section 1. Section 71-1590, Revised Statutes Supplement, 1999, is amended to read:

71-1590. (1) The real and personal property of a local housing agency and any wholly owned controlled affiliate thereof used solely (a) for the administrative offices of the housing agency or wholly owned controlled affiliate thereof, (b) to provide housing for persons of eligible income and qualifying tenants, and (c) for appurtenances related to such housing shall be exempt from all taxes and special assessments of any city, any county, the state, or any public agency thereof, including without limitation any special taxing district or similar political subdivision. All other real and personal property of the housing agency or wholly owned controlled affiliate thereof shall be deemed to not be used for a public purpose for purposes of section 77-202 and shall be taxable as provided in sections 77-201 and 77-202.11. Property owned jointly by a housing agency or its wholly owned controlled affiliates with other nongovernmental persons or entities shall be exempt from such taxes and assessments to the extent of the ownership interest which the housing agency and its wholly owned controlled affiliates hold in the property and to the extent the property is used solely to provide housing for persons of eligible income and qualifying tenants. Nothing in this section shall be deemed to preclude a housing agency and its wholly owned controlled affiliates from entering into an agreement for the payment of all or any portion of any special assessments which might otherwise be assessed except for the exemption created by this section.

(2) A housing agency may agree to make payments in lieu of all taxes or special assessments to the county within whose territorial jurisdiction any development of such housing agency or its controlled affiliates is located, for improvements, services, and facilities furnished by the city, county, or other public agencies, for the benefit of such development. Nothing contained in this section shall be deemed to require such an agreement by a local housing agency, and in no event shall the amounts payable by the housing agency exceed the amounts which, except for the exemption provided in this section, would otherwise be payable under regular taxes and special assessments for similar properties referred to in subsection (1) of this section. All payments in lieu of taxes made by any such housing agency shall be distributed by the county to all public agencies in such proportion that each public agency shall receive from the total payment the same proportion as its property tax rate bears to the total property tax which would be levied by each public agency against property of the housing agency if the same were not exempt from taxation.

(3) The property of Indian housing authorities created under Indian law shall be exempt from all taxes and special assessments of the state or any city, village, or public agency thereof. In lieu of such taxes or special assessments, an Indian housing authority may agree to make payments to any city, village, or public agency for improvements, services, or facilities furnished by such city, village, or public agency for the benefit of a housing project owned by the housing authority, but in no event shall such payments exceed the estimated cost to such city, village, or public agency of the improvements, services, or facilities to be so furnished. All payments made by any such housing authority in lieu of taxes, whether such payments are contractually stipulated or gratuitous voluntary payments, shall be distributed among the cities, villages, or public agencies within which the housing project is located, in such proportion that each city, village, or public agency shall receive from the total

payment the same proportion as its ad valorem tax rate bears to the total ad valorem tax rate which would be levied by each city, village, or public agency against the properties of the Indian housing authority if the same were not exempt from taxation. For purposes of this section, (a) Indian housing authority has the same meaning as in 24 C.F.R. 955.103, and (b) Indian law means the code of an Indian tribe recognized as eligible for services provided to Indians by the United States Secretary of the Interior.

Sec. 2. Original section 71-1590, Revised Statutes Supplement, 1999, is repealed.".

UNANIMOUS CONSENT - Add Cointroducers

Senator Landis asked unanimous consent to have his name added as cointroducer to LB 957. No objections. So ordered.

Senator Janssen asked unanimous consent to have his name added as cointroducer to LB 1346. No objections. So ordered.

VISITORS

Visitors to the Chamber were 78 fourth grade students and teachers from Tara Heights Elementary School, Papillion and Senator Preister's nephew, Adam Preister; and 13 seventh and eighth grade students and teachers from Golden Plains Christian School, Madrid.

The Doctor of the Day was Dr. Shawn Semin from Lincoln.

ADJOURNMENT

At 5:39 p.m., on a motion by Senator Smith, the Legislature adjourned until 9:00 a.m., Wednesday, April 5, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTY-SIXTH DAY - APRIL 5, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 5, 2000

PRAYER

The prayer was offered by Reverend Bill Ritter, Elkhorn Hills United Methodist Church, Elkhorn, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Brown, Connealy, Hartnett, Kiel, Kremer, Raikes, Robak, and Schrock who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

On page 1534, line 38, strike "Sec." and insert before "2" in line 39.
The Journal for the fifty-fourth day was approved as corrected.
The Journal for the fifty-fifth day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 4, 2000, at 5:45 p.m., were the following: LBs 352e, 352Ae, 153e, 153Ae, 289e, 289A, 482, 482A, 557, 652e, 652A, 717, 717A, 922e, 922Ae, 950, 950Ae, 957, 957A, 1092, 1092A, 1107, 1243, 1243A, 480, 480A, 414, 414A, 1363, 1363A, 1399e, 1399Ae, 1124e, 1124Ae, 1348, and 1348A.

(Signed) Diana Bridges
Clerk of the Legislature's Office

SELECT FILE

LEGISLATIVE BILL 833A. Advanced to E & R for engrossment.

GENERAL FILE

LEGISLATIVE BILL 1138. The Standing Committee amendment, AM2464, found on page 747 and considered on page 1463, was renewed.

Senator Wickersham withdrew the Wickersham et al. amendment, AM3187, found on page 1463.

Senator Wickersham renewed the Wickersham et al. pending amendment, AM3212, found on page 1508, to the Standing Committee amendment.

Senator Wickersham requested to pass over LB 1138.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 819. Title read. Considered.

The Standing Committee amendment, AM3133, printed separately and referred to on page 1457, was considered.

Senator Jensen renewed his pending amendment, AM3242, found on page 1555, to the Standing Committee amendment.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

The Jensen amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Advanced to E & R for review with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 819A. Title read. Considered.

Advanced to E & R for review with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 951. Title read. Considered.

Pending.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 925. Placed on Select File as amended.

(E & R amendment, AM7265, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 925A. Placed on Select File as amended.
E & R amendment to LB 925A:
AM7266

1. Strike the original section and all amendments thereto and insert the following new sections:

"Section 1. There is hereby appropriated $112,178 from the General Fund for FY2000-01 to the Department of Revenue, for Program 102, to aid in carrying out the provisions of Legislative Bill 925, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 2. Laws 1999, LB 880, section 103, is amended to read:

Sec. 103. AGENCY NO. 26 -- DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT

Program No. 347 - Public Assistance

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~117,186,993~~	~~121,852,184~~
GENERAL FUND	117,186,993	120,638,184
~~FEDERAL FUND est.~~	~~97,929,609~~	~~99,703,058~~
FEDERAL FUND est.	97,929,609	99,423,058
~~PROGRAM TOTAL~~	~~215,116,602~~	~~221,555,242~~
PROGRAM TOTAL	215,116,602	220,061,242

There is included in the appropriation to this program for FY1999-00 $117,186,993 General Funds and $97,929,609 Federal Funds estimate for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2000-01 ~~$121,852,184~~ $120,638,184 General Funds and ~~$99,703,058~~ $99,423,058 Federal Funds estimate for state aid, which shall only be used for such purpose.

It is also the intent of the Legislature that a grant in the amount of $20,000 be provided with these funds for FY1999-00 and for FY2000-01 to the Child Guidance Center in Lincoln, Nebraska, for the treatment of sexual offense perpetrators.

There is included in the appropriation to this program for FY1999-00 an amount up to $1,005,396 General Funds which may be used to match the federal Welfare-to-Work grant. There is included in the appropriation to this program for FY1999-00 an amount up to $1,005,396 of in-kind match which may be used to meet the federal Welfare-to-Work match requirements. There is included in the appropriation to this program for FY2000-01 an amount up to $1,005,396 General Funds which may be used to match the federal Welfare-to-Work grant. There is included in the appropriation to this program for FY2000-01 an amount up to $1,005,396 of in-kind match which may be used to to meet the federal Welfare-to-Work match requirements.

The appropriation to this program includes estimated offsetting child support collections for FY1999-00 of $4,415,992 General Funds and $3,648,233 Federal Funds and for FY2000-01 of $4,415,992 General Funds and $3,570,398 Federal Funds. The General Fund portion of aid to dependent children child support collections exceeding these estimates may be utilized to support child support enforcement activities in Program No. 341. The Department of Health and Human Services Finance and Support shall report the amount of the collections exceeding the estimates to the budget administrator of the budget division of the Department of Administrative Services and the Legislative Fiscal Analyst by June 1 of each year. The amount of such collections remaining unexpended on June 30, 1999, is hereby reappropriated.

For accounting purposes only, the appropriation to this program includes:

(1) State Food Stamp

	FY1999-00	FY2000-01
GENERAL FUND	715,826	715,826
PROGRAM TOTAL	715,826	715,826

(2) Food Stamp Training and Employment

	FY1999-00	FY2000-01
GENERAL FUND	354,354	373,266
FEDERAL FUND est.	547,891	583,013
PROGRAM TOTAL	902,245	956,279

(3) Medically Handicapped Children

	FY1999-00	FY2000-01
GENERAL FUND	1,228,848	1,228,848
FEDERAL FUND est.	889,685	889,685
PROGRAM TOTAL	2,118,533	2,118,533

(4) IV-E Foster Care

	FY1999-00	FY2000-01
GENERAL FUND	6,976,595	7,661,490
FEDERAL FUND est.	10,923,584	11,923,097
PROGRAM TOTAL	17,900,179	19,584,587

(5) IV-E Adoption

	FY1999-00	FY2000-01
GENERAL FUND	2,191,807	2,558,722
FEDERAL FUND est.	3,431,815	3,981,978
PROGRAM TOTAL	5,623,622	6,540,700

(6) Energy Assistance

	FY1999-00	FY2000-01
FEDERAL FUND est.	8,972,443	8,972,443
PROGRAM TOTAL	8,972,443	8,972,443

(7) Subsidized Adoption

	FY1999-00	FY2000-01
GENERAL FUND	1,949,741	2,182,348
PROGRAM TOTAL	1,949,741	2,182,348

(8) Domestic Violence

	FY1999-00	FY2000-01
GENERAL FUND	1,197,300	1,197,300
FEDERAL FUND est.	733,472	733,472
PROGRAM TOTAL	1,930,772	1,930,772

(9) Educational Assistance

	FY1999-00	FY2000-01
GENERAL FUND	8,579,092	8,678,581
PROGRAM TOTAL	8,579,092	8,678,581

(10) Disabled Persons and Family Support

	FY1999-00	FY2000-01
GENERAL FUND	910,000	910,000
PROGRAM TOTAL	910,000	910,000

(11) State Disabled - Medical

	FY1999-00	FY2000-01
GENERAL FUND	6,600,321	7,262,994
PROGRAM TOTAL	6,600,321	7,262,994

(12) State Disabled - Maintenance

	FY1999-00	FY2000-01
GENERAL FUND	606,694	656,140
PROGRAM TOTAL	606,694	656,140

(13) Title XX

	FY1999-00	FY2000-01
GENERAL FUND	4,629,921	4,629,921
FEDERAL FUND est.	2,136,455	2,136,455
PROGRAM TOTAL	6,766,376	6,766,376

(14) State Supplement

	FY1999-00	FY2000-01
GENERAL FUND	6,437,575	6,630,702
PROGRAM TOTAL	6,437,575	6,630,702

(15) Aid to Dependent Children

	FY1999-00	FY2000-01
GENERAL FUND	15,160,654	15,181,379
FEDERAL FUND est.	33,934,826	33,914,101
PROGRAM TOTAL	49,095,480	49,095,480

(16) Child Care

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~18,338,736~~	~~18,724,762~~
GENERAL FUND	18,338,736	17,510,762
FEDERAL FUND est.	20,263,852	20,263,852
~~PROGRAM TOTAL~~	~~38,602,588~~	~~38,988,614~~
PROGRAM TOTAL	38,602,588	37,774,614

(17) Emergency Assistance

	FY1999-00	FY2000-01
GENERAL FUND	690,824	711,549
PROGRAM TOTAL	690,824	711,549

(18) Job Support

	FY1999-00	FY2000-01
~~FEDERAL FUND est.~~	~~7,984,591~~	~~8,193,967~~

FEDERAL FUND est.	7,984,591	7,913,967
~~PROGRAM TOTAL~~	~~7,984,591~~	~~8,193,967~~
PROGRAM TOTAL	7,984,591	7,913,967

(19) Child Welfare

	FY1999-00	FY2000-01
GENERAL FUND	41,206,039	43,379,750
FEDERAL FUND est.	444,000	444,000
PROGRAM TOTAL	41,650,039	43,823,750

(20) Refugee Assistance

	FY1999-00	FY2000-01
FEDERAL FUND est.	1,192,422	1,192,422
PROGRAM TOTAL	1,192,422	1,192,422

(21) Family Support Funds

	FY1999-00	FY2000-01
GENERAL FUND	326,563	326,563
PROGRAM TOTAL	326,563	326,563

(22) Family Preservation and Support

	FY1999-00	FY2000-01
FEDERAL FUND est.	3,056,133	3,056,133
PROGRAM TOTAL	3,056,133	3,056,133

(23) Community Service Block Grant

	FY1999-00	FY2000-01
FEDERAL FUND est.	3,418,440	3,418,440
PROGRAM TOTAL	3,418,440	3,418,440

Sec. 3. Original Laws 1999, LB 880, section 103, is repealed.".

2. On page 1, line 1, after the semicolon insert "to amend Laws 1999, LB 880, section 103;"; and in line 3 before the period insert "; to reduce certain appropriations; and to repeal the original section".

LEGISLATIVE BILL 1021. Placed on Select File as amended.
(E & R amendment, AM7267, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1223. Placed on Select File as amended.
E & R amendment to LB 1223:
AM7268

1. On page 1, line 2, after "section" insert "77-2717, Reissue Revised Statutes of Nebraska, section"; in line 3 strike "to 77-5205" and insert ", 77-5204,".

LEGISLATIVE BILL 1223A. Placed on Select File.

Correctly Engrossed

The following bill was correctly engrossed: LB 833A.

(Signed) Adrian M. Smith, Chairperson

AMENDMENTS - Print in Journal

Senator Wehrbein filed the following amendment to LB 1223A:
AM3285

1. On page 2, line 1, strike "$41,885" and insert "$60,840".

Senator Landis filed the following amendment to LB 932:
AM2867

1. Insert the following new section:

"Sec. 25. Section 45-116, Reissue Revised Statutes of Nebraska, is amended to read:

45-116. (1) Any person may, after procuring a license from the Department of Banking and Finance, engage or continue in the business of making loans of money, and charge, contract for, and receive the maximum for interest and other charges in accordance with the authorization and requirements of sections 45-114 to 45-158.

(2)(a) A license shall not be required for an affiliate of a licensee if the activities of the affiliate in this state are limited solely to the securitization of loans made by the licensee and the servicing rights to the loans are retained by the licensee or assigned or otherwise transferred to a financial institution, licensee, or permittee.

(b) For purposes of this subsection:

(i) Affiliate means an entity that controls, is controlled by, or is under common control with another entity;

(ii) Control means to own directly or indirectly or to control in any manner twenty-five percent of the voting shares of an entity or to control in any manner the election of the majority of directors of any entity; and

(iii) Securitization means the placing of individual installment loans made by licensees into a commingled or pooled security that is subsequently sold or otherwise transferred to another entity.

(c) Nothing in this subsection shall be construed to exempt a licensee or affiliate from the provisions of the Securities Act of Nebraska.".

2. On page 64, line 5, after "21-1768," insert "45-116,".

3. Renumber the remaining sections accordingly.

Senator Engel filed the following amendment to LB 1115:
AM3059

(Amendments to E & R amendments, AM7246)

1. Insert the following new sections:

"Sec. 70. Families who provide foster care for Native

American children off-reservation shall receive training annually to enhance their understanding of Native American Culture, values, and the unique status of Native Americans. To the extent possible, the training shall be specific to the child's tribal affiliation. The department on the recommendation of the advisory committee established pursuant to section 71-1906.02 shall develop the necessary training materials and conduct or provide for the conduct of training sessions.

Sec. 71. Section 71-1901, Revised Statutes Supplement, 1998, is amended to read:

71-1901. For purposes of sections 71-1901 to 71-1906.02 and section 70 of this act:

(1) Person ~~shall include~~ includes a partnership, limited liability company, firm, agency, association, or corporation;

(2) Child ~~shall mean~~ means an unemancipated minor;

(3) Department ~~shall mean~~ means the Department of Health and Human Services;

(4) Foster care ~~shall mean~~ means engaged in the service of exercising twenty-four-hour daily care, supervision, custody, or control over children, for compensation or hire, in lieu of the care or supervision normally exercised by parents in their own home. Foster care shall not include casual care at irregular intervals or programs as defined in section 71-1910; and

(5) Native American ~~shall mean~~ means a person who is a member of an Indian tribe or eligible for membership in an Indian tribe.

Sec. 72. Section 71-1902, Reissue Revised Statutes of Nebraska, is amended to read:

71-1902. Except as otherwise provided in this section, no person shall furnish or offer to furnish foster care for two or more children from different families without having in full force and effect a written license issued by the department upon such terms and conditions as may be prescribed by general rules and regulations adopted and promulgated by the department. The department may issue a time-limited, nonrenewable provisional license to an applicant who is unable to comply with all licensure requirements and standards, is making a good faith effort to comply, and is capable of compliance within the time period stated in the license. The department may issue a time-limited, nonrenewable probationary license to a licensee who agrees to establish compliance with rules and regulations that, when violated, do not present an unreasonable risk to the health, safety, or well-being of the foster children in the care of the applicant. No license shall be issued pursuant to this section unless the applicant has completed the required hours of training in foster care as prescribed by the department.

All nonprovisional and nonprobationary licenses issued under sections 71-1901 to 71-1906.02 and section 70 of this act shall expire two years from the date of issuance and shall be subject to renewal under the same terms and conditions as the original license, except that if a licensee submits a completed renewal application thirty days or more before the license's expiration date, the license shall remain in effect until the department either renews the license or denies the renewal application. No license issued pursuant to this section shall be renewed unless the licensee has completed the required hours of training in foster care in the preceding twelve months as prescribed by the department. For the issuance or renewal of each nonprovisional and nonprobationary license, the department shall charge a fee of fifty dollars for a group home, fifty dollars for a child-caring agency, and fifty dollars for a child-placing agency. For the issuance of each provisional license and each probationary license, the department shall charge a fee of twenty-five dollars for a group home, twenty-five dollars for a child-caring agency, and twenty-five dollars for a child-placing agency. A license may be revoked for cause, after notice and hearing, in accordance with rules and regulations adopted and promulgated by the department.

For purposes of this section:

(1) Foster family home ~~shall mean~~ means any home which provides twenty-four-hour care to children who are not related to the foster parent by blood or adoption;

(2) Group home ~~shall mean~~ means a home which is operated under the auspices of an organization which is responsible for providing social services, administration, direction, and control for the home and which is designed to provide twenty-four-hour care for children and youth in a residential setting;

(3) Child-caring agency ~~shall mean~~ means an organization which is incorporated for the purpose of providing care for children in buildings maintained by the organization for that purpose; and

(4) Child-placing agency ~~shall mean~~ means an organization which is authorized by its articles of incorporation and by its license to place children in foster family homes.

Sec. 73. Section 71-1903, Revised Statutes Supplement, 1998, is amended to read:

71-1903. (1) Before issuance of a license under sections 71-1901 to 71-1906.02 and section 70 of this act, the department shall cause such investigation to be made as it deems necessary to determine if the character of the applicant, any member of the applicant's household, or the person in charge of the service and the place where the foster care is to be furnished are such as to ensure the proper care and treatment of children. The department may investigate the character of prospective or existing licensees, any member of such licensee's household, and the staff and employees of foster care facilities by making a national criminal history record information check. The department may request the State Fire Marshal to inspect such places for fire safety pursuant to section 81-502. The State Fire Marshal shall assess a fee for such inspection pursuant to section 81-505.01, payable by the licensee or applicant for a license, except that the department may pay the fee for inspection for fire safety of foster family homes as defined in section 71-1902. The department may request the Department of Health and Human Services Regulation and Licensure to conduct sanitation and health standards investigations pursuant to subsection (2) of this section. The Department of Health and Human Services may also, at any time it sees fit, cause an inspection to be made of the place where any licensee is furnishing foster care to see that such service is being properly conducted.

(2) The Department of Health and Human Services Regulation and Licensure shall make an investigation and report to the Department of Health and Human Services, within thirty days after receipt of the request from the Department of Health and Human Services, of all facilities and programs of licensed providers of foster care programs subject to this section or applicants for licenses to provide such programs to determine if the place or places to be covered by such licenses meet standards of health and sanitation set by the Department of Health and Human Services for the care and protection of the child or children who may be placed in such facilities and programs. The Department of Health and Human Services Regulation and Licensure may delegate the investigation authority to qualified local environmental health personnel.

Sec. 74. Section 71-1904, Reissue Revised Statutes of Nebraska, is amended to read:

71-1904. The department shall adopt and promulgate rules and regulations pursuant to sections 71-1901 to 71-1906.02 and section 70 of this act for (1) the proper care and protection of children by licensees under such sections, (2) the issuance, suspension, and revocation of licenses to provide foster care, (3) the issuance, suspension, and revocation of probationary licenses to provide foster care, (4) the issuance, suspension, and revocation of provisional licenses to provide foster care, (5) the provision of training in foster care, which training shall be directly related to the skills necessary to care for children in need of out-of-home care, including, but not limited to, abused, neglected, dependent, and delinquent children, and the training required by section 70 of this act and (6) the proper administration of such sections. The training required by subdivision (5) of this section shall be between twelve and twenty-four hours as determined by the department.

Sec. 75. Section 71-1905, Reissue Revised Statutes of Nebraska, is amended to read:

71-1905. Any person who violates any of the provisions of sections 71-1901 to 71-1904 and 71-1906 to 71-1906.02 and section 70 of this act shall be deemed guilty of a Class III misdemeanor.".

2. Renumber the remaining sections, correct internal

19 references, and correct repealer accordingly.

GENERAL FILE

LEGISLATIVE BILL 1025. Title read. Considered.

SENATOR CUDABACK PRESIDING

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

The Standing Committee amendment, AM2321, found on page 768, was considered.

Senator Suttle renewed her pending amendment, AM2592, found on page 885, to the Standing Committee amendment.

The Suttle amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 27 ayes, 0 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Senator Janssen asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1025A. Title read. Considered.

Advanced to E & R for review with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 1116. Title read. Considered.

The Standing Committee amendment, AM2135, found on page 462, was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Senator Quandahl renewed his pending amendment, AM2563, found on page 837.

The Quandahl amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Senator Kristensen asked unanimous consent to be excused until he returns. No objections. So ordered.

Advanced to E & R for review with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 1279. Title read. Considered.

The Standing Committee amendment, AM2389, found on page 659, was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Wickersham withdrew his amendment, AM3215, found on page 1484.

Advanced to E & R for review with 25 ayes, 0 nays, 19 present and not voting, and 5 excused and not voting.

Senator Kiel asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 969. Title read. Considered.

The Standing Committee amendment, AM2053, found on page 375, was considered.

Pending.

LEGISLATIVE BILL 1101. Senator Chambers withdrew his motion, found on page 899, to indefinitely postpone.

Senator Chambers renewed his pending amendment, AM3114, found on page 1388.

The Chambers amendment was adopted with 29 ayes, 0 nays, 18 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1101A. Title read. Considered.

Advanced to E & R for review with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT FILE

LEGISLATIVE BILL 659. Senator Lynch renewed the Lynch-Janssen pending amendment, AM3206, printed separately and referred to on page 1475.

Senator Jensen offered the following amendment to the Lynch-Janssen pending amendment:
AM3290

(Amendments to AM3206)

1. Strike original sections 1, 3 to 30, 34, and 35 and insert the following new sections:

"Sec. 5. Original sections 9-1,101, 83-162.04, and 83-162.06, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Supplement, 1999, are repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. Renumber the remaining sections accordingly.

Senators Brown and Vrtiska asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 8 nays, and 16 not voting.

Senator Jensen moved for a call of the house. The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Jensen requested a roll call vote on his amendment.

Voting in the affirmative, 20:

Baker Brown Bruning Dickey Dierks
Engel Hartnett Hudkins Jensen Kremer
Landis Matzke Pederson, D. Price Quandahl
Raikes Redfield Schimek Tyson Wehrbein

Voting in the negative, 15:

Aguilar Bohlke Bourne Connealy Crosby
Hilgert Janssen Kiel Kristensen Lynch
Robak Schmitt Schrock Thompson Wickersham

Present and not voting, 12:

Beutler Brashear Bromm Byars Chambers
Coordsen Cudaback Pedersen, Dw. Preister Smith
Stuhr Suttle

Excused and not voting, 2:

Jones	Vrtiska

The Jensen amendment lost with 20 ayes, 15 nays, 12 present and not voting, and 2 excused and not voting.

Pending.

VISITORS

Visitors to the Chamber were 20 eighth through twelfth grade students and teacher from Eustis-Farnam FFA; 36 fifth grade students and teachers from Milliken Park Elementary School, Fremont; 23 fifth grade students and teacher from Williams Elementary School, Columbus; 20 Y.W.C.A. members from Hastings; Senator Dw. Pedersen's wife, daughter, son-in-law, and granddaughter, Priscilla Pedersen and Megan, Michael, and Chaley Nelson, from Elkhorn; and 55 fourth grade students and teachers from St. Cecilia, Omaha.

RECESS

At 12:01 p.m., on a motion by Senator Bruning, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Bohlke, Bromm, Chambers, Cudaback, Dierks, Kiel, Lynch, Price, Robak, and Schrock who were excused until they arrive.

AMENDMENTS - Print in Journal

Senator Kristensen filed the following amendment to LB 1004:
AM3253

(Amendments to AM3018)

1. On page 7, line 6; and page 16, line 8, after the period insert "The prosecutor shall present as evidence for purposes of sentence enhancement under this section an authenticated copy of a prior conviction in another state. The authenticated copy shall be prima facie evidence of such prior conviction.".

Senator Wickersham filed the following amendment to LB 1279:
AM3301

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 77-3508, Revised Statutes Supplement, 1999, is amended to read:

77-3508. (1) All homesteads in this state shall be assessed for taxation the same as other property, except that there shall be exempt from taxation, on any homestead of (a) veterans as defined in section 80-401.01 who are totally disabled by a non-service-connected accident or illness, (b) individuals who have a permanent physical disability ~~or who~~ and have lost all mobility such as to preclude locomotion without the regular use of a mechanical aid or prostheses, and (c) individuals who have undergone amputation of both arms above the elbow or who have a permanent partial disability of both arms in excess of seventy-five percent, a percentage of the exempt amount as limited by section 77-3506.03. The exemption shall be based on the household income of a claimant pursuant to subsections (2) through (4) of this section. Application for such exemption shall include certification from a qualified medical physician for subdivisions (1)(a) through (c) of this section or certification from the United States Department of Veterans Affairs affirming that the homeowner is totally disabled due to non-service-connected accident or illness for subdivision (1)(a) of this section. Such certification from a qualified medical physician shall be made on forms prescribed by the Department of Revenue.

(2) For 2000, for a married or closely related claimant as described in subsection (1) of this section, the percentage of the exempt amount for which the claimant shall be eligible shall be the percentage in Column B which corresponds with the claimant's household income in Column A in the table found in this subsection.

Column A Household Income In Dollars	Column B Percentage Of Relief
0 through 24,700	100
24,701 through 25,900	85
25,901 through 27,100	70
27,101 through 28,300	55
28,301 through 29,500	40
29,501 through 30,700	25
30,701 and over	0

(3) For 2000, for a single claimant as described in subsection (1) of this section, the percentage of the exempt amount for which the claimant shall be eligible shall be the percentage in Column B which corresponds with the claimant's household income in Column A in the table found in this subsection.

Column A Household Income In Dollars	Column B Percentage Of Relief
0 through 21,600	100

21,601 through 22,600	85
22,601 through 23,600	70
23,601 through 24,600	55
24,601 through 25,600	40
25,601 through 26,600	25
26,601 and over	0

(4) For exemption applications filed in calendar year 2001 and each year thereafter, the income eligibility amounts in subsections (2) and (3) of this section shall be adjusted for inflation by the method provided in section 151 of the Internal Revenue Code. The income eligibility amounts shall be adjusted for cumulative inflation since 2000. If any amount is not a multiple of one hundred dollars, the amount shall be rounded to the next lower multiple of one hundred dollars.

Sec. 2. This act becomes operative on January 1, 2000.

Sec. 3. Original section 77-3508, Revised Statutes Supplement, 1999, is repealed.".

RESOLUTION

LEGISLATIVE RESOLUTION 495. Introduced by Wehrbein, 2; Matzke, 47; D. Pederson, 42; Crosby, 29; Kiel, 9.

WHEREAS, in accordance with section 85-1415, the Board of Regents of the University of Nebraska has submitted to the Coordinating Commission for Postsecondary Education plans for the following projects:

(1) A minimum twelve hundred stall multilevel parking structure on the University of Nebraska-Lincoln city campus at 17th & R Streets, containing approximately 17,000 gross square feet of shell space for university functions at an estimated cost of $17,737,000 to be funded from the proceeds of revenue bonds issued by the board;

(2) An addition to and renovation of the existing Nebraskan Student Union at the University of Nebraska at Kearney, at an estimated cost of $6,300,000 to be funded from the proceeds of revenue bonds issued by the board; and

(3) Improvement of utilities at the University of Nebraska at Kearney, including the installation of steam and chilled water lines for use by revenue bond facilities at an estimated cost of $732,600 to be funded from the Surplus Fund of the University of Nebraska at Kearney student fees and facilities revenue bonds issued by the board; and

WHEREAS, the Coordinating Commission for Postsecondary Education has recommended approval of the projects by the Legislature; and

WHEREAS, the board has submitted the projects to the Legislature for its approval in accordance with sections 85-404 and 85-408.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That pursuant to sections 85-404 and 85-408 plans for the construction of (a) a minimum twelve hundred stall multilevel parking structure on the University of Nebraska-Lincoln city campus at 17th & R Streets, containing

approximately 17,000 gross square feet of shell space for university functions at an estimated cost of $17,737,000 to be funded from the proceeds of revenue bonds issued by the board; (b) an addition to and renovation of the existing Nebraskan Student Union at the University of Nebraska at Kearney, at an estimated cost of $6,300,000 to be funded from the proceeds of revenue bonds issued by the board; and (c) improvement of utilities at the University of Nebraska at Kearney, including the installation of steam and chilled water lines for use by revenue bond facilities at an estimated cost of $732,600 to be funded from the Surplus Fund of the University of Nebraska at Kearney student fees and facilities revenue bonds issued by the board are approved.

2. The revenue bonds of the board may be issued in an amount sufficient to pay the costs of the projects plus any amounts required to pay the interest of such bonds during the period of construction, to fund any necessary reserves, and to pay the costs of the issuance of such bonds.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 972. The Standing Committee amendment, AM2558, found on page 982 and considered on page 1557, was renewed.

The Bourne pending amendment, AM2699, found on page 1057 and considered on page 1557, to the Standing Committee amendment, was renewed.

Senator Smith moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Hilgert requested a roll call vote on the Bourne amendment.

Voting in the affirmative, 29:

Aguilar
Bruning
Crosby
Jones
Schimek
Thompson
Baker
Byars
Dickey
Kremer
Schmitt
Tyson
Bohlke
Chambers
Dierks
Lynch
Smith
Vrtiska
Bourne
Connealy
Hilgert
Price
Stuhr
Wickersham
Bromm
Coordsen
Hudkins
Robak
Suttle

Voting in the negative, 14:

Beutler
Jensen
Brashear
Kristensen
Brown
Landis
Engel
Matzke
Janssen
Pedersen, Dw.

Pederson, D. Raikes Redfield Schrock

Present and not voting, 4:

Hartnett Preister Quandahl Wehrbein

Excused and not voting, 2:

Cudaback Kiel

The Bourne amendment was adopted with 29 ayes, 14 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Kristensen renewed his pending amendment, AM3268, found on page 1557, to the Standing Committee amendment.

The Kristensen amendment was adopted with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

Senator Brashear offered the following amendment to the Standing Committee amendment:
AM3312

(Amendments to AM3268)

1. On page 1, strike line 5 and insert "through 'and' in line 19.".

The Brashear amendment was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

The Standing Committee amendment, as amended, was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Senator Wickersham offered the following amendment:
AM3320

1. Insert the following new section:
"Sec. 5. Any advertising or promotional materials relating to the State Disbursement Unit may include references to a public office but shall not refer to an officeholder by name.".
2. Correct the operative date so that the section added by this amendment becomes operative on its effective date with the emergency clause.
3. Renumber the remaining sections and correct internal references accordingly.

The Wickersham amendment was adopted with 25 ayes, 12 nays, 11 present and not voting, and 1 excused and not voting.

Senator Suttle asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Brashear offered the following amendment:
AM3315

1. Strike original section 34.

2. Renumber the remaining section and correct internal references accordingly.

The Brashear amendment was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to E & R for review with 34 ayes, 3 nays, 10 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 972A. Title read. Considered.

Senator Kristensen renewed his pending amendment, AM3275, found on page 1557.

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Kristensen withdrew his amendment.

Senator Brown renewed her pending amendment, AM3120, found on page 1558.

The Brown amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

Senator Kristensen reoffered his amendment, AM3275, found on page 1557 and considered in this day's Journal.

The Kristensen amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Advanced to E & R for review with 32 ayes, 1 nay, 13 present and not voting, and 3 excused and not voting.

AMENDMENTS - Print in Journal

Senator Wehrbein filed the following amendment to LB 1410A:
AM3306

1. Insert the following new section:

"Sec. 2. There is hereby appropriated (1) $31,000 from the State Park Cash Revolving Fund for FY2000-01 and (2) $21,000 from the State Park Cash Revolving Fund for FY2001-02 to the Game and Parks Commission, for Program 549, to aid in carrying out the provisions of Legislative Bill 1410, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

2. Renumber the remaining section accordingly.

Senator Wehrbein filed the following amendment to LB 1381A:
AM3307

1. Insert the following new sections:

"Sec. 3. There is hereby appropriated (1) $31,000 from the State Park Cash Revolving Fund for FY2000-01 and (2) $21,000 from the State Park Cash Revolving Fund for FY2001-02 to the Game and Parks Commission, for Program 549, to aid in carrying out the provisions of Legislative Bill 1381, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

Sec. 5. Since an emergency exists, this act takes effect when passed and approved according to law.".

2. Renumber the remaining sections accordingly.

UNANIMOUS CONSENT - Members Excused

Senators Landis and Aguilar asked unanimous consent to be excused until they return. No objections. So ordered.

GENERAL FILE

LEGISLATIVE BILL 1330. Title read. Considered.

The Standing Committee amendment, AM2759, found on page 1026, was considered.

Senators Crosby and Dierks asked unanimous consent to be excused until they return. No objections. So ordered.

SENATOR CUDABACK PRESIDING

The Standing Committee amendment was adopted with 25 ayes, 0 nays, 17 present and not voting, and 7 excused and not voting.

Senator Engel asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Raikes withdrew his amendment, AM3127, found on page 1537.

Senator Chambers renewed his pending amendment, FA371, found on page

1547.

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 0 nays, and 37 not voting.

The Chambers amendment lost with 2 ayes, 32 nays, 8 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senators Beutler and Robak asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Chambers renewed his pending amendment, FA372, found on page 1547.

The Chambers amendment lost with 0 ayes, 8 nays, 33 present and not voting, and 8 excused and not voting.

Senator Chambers moved to reconsider the vote on the Chambers amendment, FA372.

Senator Schimek asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Chambers asked unanimous consent to withdraw his motion to reconsider. No objections. So ordered.

Senator Chambers renewed his pending motion, found on page 1547, to indefinitely postpone.

Laid over.

RESOLUTION

LEGISLATIVE RESOLUTION 496. Introduced by Lynch, 13.

WHEREAS, the first Workers Memorial Day was observed in 1989; and

WHEREAS, the Nebraska Legislature passed LB 199 in 1991, commemorating Workers Memorial Day; and

WHEREAS, April 28, 2000, is recognized as Workers Memorial Day; and

WHEREAS, Workers Memorial Day is established to remember the courage and integrity of American workers past and present; and

WHEREAS, every citizen should assist in ensuring that all individuals work in a safe environment; and

WHEREAS, nationally more than sixty thousand workers die each year from job injuries and illnesses and more than six million workers are injured.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That April 28, 2000, is designated as Workers Memorial Day.
2. That it is the intent of the Legislature to honor those workers who sacrificed for the safety of all workers and to mourn for their lives.

Laid over.

AMENDMENT - Print in Journal

Senator Hilgert filed the following amendment to LB 925:
AM3309

(Amendments to E & R amendments, AM7265)

1. Strike section 3.
2. On page 5, line 2, after the period insert "Adult members of recipient families whose youngest child is under the age of twelve weeks shall not be required to engage in activities such as family nurturing, preemployment skills, or education required under this subsection."; and in lines 8, 9, and 13 strike the new matter and reinstate the stricken matter.
3. On page 17, line 16, strike "sections" through "68-1724" and insert "section 68-1723".
4. Renumber the remaining sections and correct internal references accordingly.

SELECT FILE

LEGISLATIVE BILL 1010. Senator Kristensen renewed his pending amendment, AM3231, found on page 1533 and considered on page 1538.

Senator Bromm moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

Senator Kristensen moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Kristensen requested a roll call vote on his amendment.

Voting in the affirmative, 23:

Beutler
Bohlke
Bourne
Brown
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dierks
Hartnett
Hilgert
Kristensen
Landis
Pedersen, Dw.
Pederson, D.
Preister
Robak
Schimek
Schrock
Suttle
Thompson

Voting in the negative, 19:

Aguilar Baker Bromm Dickey Engel
Hudkins Janssen Jones Kremer Matzke
Quandahl Raikes Redfield Schmitt Smith
Stuhr Tyson Wehrbein Wickersham

Present and not voting, 4:

Brashear Jensen Price Vrtiska

Excused and not voting, 3:

Bruning Kiel Lynch

The Kristensen amendment lost with 23 ayes, 19 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Baker moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Baker requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar Baker Bourne Bromm Byars
Coordsen Dickey Engel Hilgert Hudkins
Janssen Jensen Jones Kremer Matzke
Quandahl Raikes Redfield Schmitt Smith
Stuhr Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 15:

Beutler Chambers Connealy Crosby Dierks
Hartnett Kristensen Landis Pedersen, Dw. Pederson, D.
Preister Robak Schimek Suttle Thompson

Present and not voting, 6:

Bohlke Brashear Brown Cudaback Price
Schrock

Excused and not voting, 3:

Bruning Kiel Lynch

Advanced to E & R for engrossment with 25 ayes, 15 nays, 6 present and

not voting, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 1003. E & R amendment, AM7252, printed separately and referred to on page 1487, was adopted.

Senator D. Pederson asked unanimous consent to replace the D. Pederson-Schrock pending amendment, AM3252, found on page 1537, with a substitute amendment. No objections. So ordered.

Senator D. Pederson withdrew the D. Pederson-Schrock amendment, AM3252, found on page 1537.

Senator D. Pederson and Schrock offered the following substitute amendment:
AM3326

(Amendments to E & R amendments, AM7252)

1. On page 2, lines 22 and 23; and page 3, lines 1 and 2, strike "481 of the federal Higher Education Act of 1965, 20 U.S.C. 1088," and insert "529 of the Internal Revenue Code".

2. On page 7, line 14, strike "seventeenth" and insert "eighteenth"; and in line 18 strike "twenty-second" and insert "thirtieth".

3. On page 8, line 20, after the period insert "The State Treasurer and Accounting Administrator of the Department of Administrative Services shall determine the state fund types necessary to comply with section 529 of the Internal Revenue Code and state policy.".

4. On page 10, line 10, after "participant" insert "or the fair market value of the participant's account, whichever is less"; and in line 12 after "account" insert "which exceeds the principal amount of all contributions made by the participant".

5. On page 19, line 23, strike "two thousand dollars per beneficiary" and insert "five hundred dollars per married filing separate return or one thousand dollars for any other return.".

SENATOR COORDSEN PRESIDING

Senator Crosby asked unanimous consent to be excused until she returns. No objections. So ordered.

The D. Pederson-Schrock amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Senator Beutler offered the following amendment:
AM3269

(Amendments to E & R amendments, AM7252)

1. On page 1, line 23, after "may" insert "not"; and in

line 24 strike ", among other sources" and insert "but may receive gifts, grants, and donations from private parties".

2. On page 5, line 11, strike ", endowment fund,"; and strike beginning with "other" in line 23 through "agency" in line 25 and insert "donations from private parties".

3. Strike beginning with "The" on page 8, line 27, through the period on page 9, line 1.

4. On page 9, line 6, strike "made" through "person".

The Beutler amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1003A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1067. E & R amendment, AM7250, found on page 1487, was adopted.

Senator Wickersham renewed his pending amendment, AM3205, printed separately and referred to on page 1498.

The Wickersham amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1167. E & R amendment, AM7264, printed separately and referred to on page 1487, was adopted.

Senator Wickersham renewed his pending amendment, AM3249, found on page 1516.

Senator Bourne asked unanimous consent to be excused. No objections. So ordered.

The Wickersham amendment was adopted with 25 ayes, 2 nays, 19 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1167A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1234. E & R amendment, AM7251, found on page 1487, was adopted.

Senator Schrock withdrew his amendments, AM3223, AM3196, and AM3271, found on pages 1505, 1509, and 1548.

Senator Beutler withdrew the Beutler-Shrock amendment, AM3263, found on page 1544.

Senator Brown offered the following amendment:
AM3313

(Amendments to E & R amendments, AM7251)

1. Insert the following new sections:

"Sec. 6. Section 66-1214, Reissue Revised Statutes of Nebraska, is amended to read:

66-1214. (1) Commencing January 1, 1986, motor fuel dispensers shall be labeled on both faces with the product identity using the most descriptive terms commercially practicable. In addition, all alcohol-blended fuel dispensers shall have a label stating: With or containing ethanol, methanol, or ethanol and methanol or with similar wording if the motor fuel being dispensed contains one percent or more by volume of alcohol.

(2) Commencing March 1, 2001, motor fuel dispensers dispensing fuels with or containing aromatic hydrocarbons shall have a label stating: With or containing aromatic hydrocarbons or with similar wording. For purposes of this subsection:

(a) Aromatic hydrocarbons include, but are not limited to, benzene, xylene, and toluene; and

(b) With or containing aromatic hydrocarbons means that the motor fuel being dispensed contains twenty-five percent or more by volume of aromatic hydrocarbons.

(3) Any person who owns or controls such a motor fuel dispenser and does not attach the notice required by this section shall be guilty of an infraction.

Sec. 7. Original section 66-1214, Reissue Revised Statutes of Nebraska, is repealed.".

2. Insert underscoring in sections 1 to 5 of this act.

SENATOR CUDABACK PRESIDING

Senator Brown withdrew her amendment.

Senator Schrock moved to suspend the rules, Rule 7, Sec. 3(d), to permit consideration of AM3324 to LB 1234.

The Schrock motion to suspend the rules prevailed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Schrock offered the following amendment:
(Amendment on file in the Clerk's Office - Room 2018 - AM3324)

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Wickersham offered the following amendment to the Schrock

pending amendment:
FA393
Amend AM3324
Pg. 3, line 26 after "reject" insert or "adopt"

The Wickersham amendment was adopted with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

The Schrock amendment, as amended, was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Senator Robak reoffered the Robak-Schmitt amendment, AM3150, found on page 1457.

Senator Robak withdrew her amendment.

Senator Byars asked unanimous consent to be excused. No objections. So ordered.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1234A. Senator Schrock withdrew his amendment, AM3274, found on page 1556.

Senator Schrock offered the following amendment:
AM3329

1. Insert the following new sections:

"Sec. 2. Laws 1999, LB 880, section 134, is amended to read:

Sec. 134. AGENCY NO. 33 -- GAME AND PARKS COMMISSION

Program No. 338 - Niobrara Scenic River Local Management Council

	FY1999-00	FY2000-01
~~GENERAL FUND~~	~~50,000~~	~~25,000~~
GENERAL FUND	50,000	-0-
~~PROGRAM TOTAL~~	~~50,000~~	~~25,000~~
PROGRAM TOTAL	50,000	-0-

There is included in the appropriation to this program for FY1999-00 $50,000 General Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2000-01 ~~$25,000~~ $-0- General Funds for state aid, which shall only be used for such purpose.

Sec. 3. There is hereby appropriated (1) $25,000 from the General Fund for FY2000-01 and (2) $25,000 from the General Fund for FY2001-02 to the Game and Parks Commission, for Program 338, to aid in carrying out the provisions of Legislative Bill 1234, Ninety-sixth Legislature, Second Session, 2000.

Sec. 4. There is hereby appropriated (1) $500,000 from the Construction Administration Fund for FY2000-01 and (2) $500,000 from the Construction Administration Fund for FY2001-02 to the Department of Environmental Quality, for Program 523, to aid in carrying out the provisions of Legislative Bill 1234, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.

There is included in the appropriation to this program for FY2000-01 $500,000 Cash Funds for state aid, which shall only be used for such purpose. There is included in the appropriation to this program for FY2001-02 $500,000 Cash Funds for state aid, which shall only be used for such purpose.

Sec. 5. Original Laws 1999, LB 880, section 134, is repealed.".

2. Insert underscoring to section 1.

The Schrock amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to E & R for engrossment.

AMENDMENTS - Print in Journal

Senators Bohlke, Kremer, Coordsen, and Vrtiska filed the following amendment to LB 1213:
(Amendment, AM3318, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Landis filed the following amendment to LB 925:
(Amendment, AM3330, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

Senator Bromm filed the following amendment to LB 26:
AM3255

(Amendments to E & R amendments, AM7254)

1. On page 1, strike beginning with "and" in line 14 through "served" in line 16.

UNANIMOUS CONSENT - Add Cointroducer

Senator Hilgert asked unanimous consent to have his name added as cointroducer to LB 925. No objections. So ordered.

VISITORS

Visitors to the Chamber were 20 members of the Humbolt/Table Rock/Steinhauer Cardinals basketball team and coaches; 48 fifth grade students and teachers from Central City Elementary School; 37 fourth grade students from Sandoz Elementary School, Lexington; and Sophie Eden and

Emma Dougan from England and Mildred Fossler from Beatrice.

The Doctor of the Day was Dr. Patrick Hanna from Lincoln.

ADJOURNMENT

At 8:11 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Thursday, April 6, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

FIFTY-SEVENTH DAY - APRIL 6, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, April 6, 2000

PRAYER

The prayer was offered by Pastor David Larsen, Resurrection Lutheran Church, Gretna, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Aguilar, Baker, Beutler, Bohlke, Bromm, Brown, Byars, Chambers, Dickey, Jones, Kiel, Kristensen, Landis, Dw. Pedersen, Raikes, Robak, Tyson, and Wickersham who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 5, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell
Clerk of the Legislature

Kennedy, Christopher R. - Omaha; Nebraska Credit Union League, Inc. (Withdrawn 03/30/2000)
Scherling, Mary Jane - Lincoln; Nebraska Nurses Association (Withdrawn 04/05/2000)

SELECT FILE

LEGISLATIVE BILL 1200. E & R amendment, AM7253, found on page 1490, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1221. E & R amendment, AM7256, found on page 1490, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 901. E & R amendment, AM7257, printed separately and referred to on page 1490, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 901A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1008. E & R amendment, AM7263, found on page 1490, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1008A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1086. E & R amendment, AM7262, found on page 1491, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 495. E & R amendment, AM7259, found on page 1491, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 495A. Advanced to E & R for engrossment.
LEGISLATIVE BILL 349. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1304. E & R amendment, AM7258, found on page 1491, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1251. Advanced to E & R for engrossment.
LEGISLATIVE BILL 956. Advanced to E & R for engrossment.

MOTION - Return LB 1004 to Select File

Senator Bromm moved to return LB 1004 to Select File for the Bromm-Engel specific amendment, AM3018, printed separately and referred to on page 1254.

The Bromm motion to return prevailed with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1004. The Bromm-Engel specific amendment, AM3018, printed separately and referred to on page 1254, was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Advanced to E & R for reengrossment.

MOTION - Return LB 1004 to Select File

Senator Kristensen moved to return LB 1004 to Select File for his specific amendment, AM3253, found on page 1604.

The Kristensen motion to return prevailed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1004. The Kristensen specific amendment, AM3253, found on page 1604, was adopted with 46 ayes, 0 nays, and 3 present and not voting.

Advanced to E & R for reengrossment.

MOTION - Return LB 1401 to Select File

Senator Beutler moved to return LB 1401 to Select File for his specific amendment, AM3272, found on page 1559.

SENATOR CUDABACK PRESIDING

Senator Beutler withdrew his motion to return.

MOTION - Return LR 6CA to Select File

Senator Kristensen moved to return LR 6CA to Select File for his specific amendment, AM3207, found on page 1475.

The Kristensen motion to return prevailed with 40 ayes, 0 nays, and 9 present and not voting.

SELECT FILE

LEGISLATIVE RESOLUTION 6CA. The Kristensen specific amendment, AM3207, found on page 1475, was adopted with 41 ayes, 0 nays, and 8 present and not voting.

Advanced to E & R for reengrossment.

AMENDMENTS - Print in Journal

Senator Brashear filed the following amendment to LB 1021:
AM3287

(Amendments to E & R amendments, AM7267)

1. On page 6, strike lines 4 through 27 and insert

"(4) An admission or a set of admissions to a series or season for the recipient and one guest to a state-owned facility or a state-regulated industry or event may be given by any sponsoring agency, political subdivision, or publicly funded postsecondary educational institution and accepted regardless of value.

(5) For purposes of this section, a gift of an admission to a single state-owned facility or a single state-regulated industry or event shall be considered as given in the month in which the admission is to be used and a gift of a set of admissions to a series or season of state-regulated events shall be considered as given in the month in which the set of admissions is given.

(6) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 4. (1) Any agency, political subdivision, or publicly funded postsecondary educational institution which gives a gift of an admission to a facility or event to a public official, a member of a public official's staff, or a member of the immediate family of a public official shall report the gift on a form prescribed by the commission, except that a gift of an admission to a facility or event given to a public official for the official and one guest need not be reported under this section if the gift is given by a sponsoring agency or publicly funded postsecondary educational institution to a public official who is an official or member of the governing body of the agency or institution.

(2) For purposes of this section, public official does not include an elected or appointed official of a political subdivision or school board.

(3) The report shall be filed with the Clerk of the Legislature within fifteen days after the end of the calendar quarter in which the gift is given. The report shall include the following:

(a) The identity of the agency, political subdivision, or publicly funded postsecondary educational institution;

(b) A description of the gift;

(c) The value of the gift; and

(d) The name of the recipient of the gift and the following:

(i) If the recipient is a public official, the office held by the official and the branch of state government he or she serves;

(ii) If the recipient is a member of a public official's staff, his or her job title and the name of the official; or

(iii) If the recipient is a member of the immediate family of a public official, his or her relationship to the official and the name of the official.

(4) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.".

2. On page 7, strike lines 1 through 13.

Senator Brashear filed the following amendment to LB 1021:
AM3319

(Amendments to E & R amendments, AM7267)

1. Insert the following new section:

"Sec. 2. Section 49-1423, Reissue Revised Statutes of Nebraska, is amended to read:

49-1423. ~~With the exception of sections 49-1480 to 49-1492, gift as used in sections 49-1401 to 49-14,138~~ Gift shall mean a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is given therefor. Gift shall not include a campaign contribution otherwise reported as required by law, a commercially reasonable loan made in the ordinary course of business, ~~or~~ a gift received from a member of the individual's immediate family, ~~or~~ from a relative, or from the spouse of any such relative, a breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption, or the occasional provision of transportation within the State of Nebraska to an officeholder.".

2. On page 5, strike beginning with "(3)" in line 11 through "(e)" in line 27 and show the old matter as stricken.

3. On page 6, strike lines 2 and 3 and show the old matter as stricken; in line 4 strike "(4)" and insert "(3)"; and in line 8 strike "(5)" and insert "(4)".

4. On page 9, strike beginning with the period in line 9 through the semicolon in line 10, show the old matter as stricken, and insert an underscored semicolon.

5. Renumber the remaining sections and correct internal references and repealer accordingly.

REPORTS

The following reports were received by the Legislature:

Labor, Department of

State Labor Area Summaries

Legislative Program Evaluation Committee
Bureau of Animal Industry: An Evaluation of the State Veterinarian's Office Final Committee Report

MOTION - Return LB 171 to Select File

Senator Wickersham moved to return LB 171 to Select File for the following specific amendment:
FA370
Strike the enacting clause.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Wickersham withdrew his motion to return.

WITHDRAW - Amendment to LB 171

Senator Coordsen withdrew his amendment, AM3270, found on page 1552, to LB 171.

MOTION - Return LB 171 to Select File

Senator Kristensen moved to return LB 171 to Select File for the following specific amendment:
FA396
Strike the enacting clause.

Senator Kristensen withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 171.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 1998; to provide for a refund of sales and use taxes paid by television stations on digital broadcasting machinery and equipment as prescribed; to harmonize provisions; and to repeal the original section.

Senator Chambers requested a roll call vote.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 25:

Aguilar Beutler Bohlke Brashear Brown
Bruning Byars Coordsen Crosby Cudaback
Hartnett Hudkins Jones Kiel Kristensen
Lynch Pedersen, Dw. Pederson, D. Quandahl Schimek
Schmitt Schrock Smith Stuhr Tyson

Voting in the negative, 21:

Baker Bourne Bromm Chambers Connealy
Dickey Hilgert Janssen Jensen Kremer
Landis Matzke Price Raikes Redfield
Robak Suttle Thompson Vrtiska Wehrbein
Wickersham

Present and not voting, 2:

Engel Preister

Excused and not voting, 1:

Dierks

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT MAURSTAD PRESIDING

LEGISLATIVE BILL 973.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-101, 53-123.12, 53-124.11, 53-130, 53-138.01, and 53-192, Reissue Revised Statutes of Nebraska, and sections 53-131 and 53-1,104, Revised Statutes Supplement, 1999; to provide for the taxation of alcoholic liquor transported into this state as prescribed; to change state registration fees and special designated license provisions; to change provisions relating to the transportation of alcoholic liquor into this state; to provide penalties as prescribed; to provide powers and duties; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Cudaback

Dickey Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Price Quandahl Raikes Robak
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 1:

Redfield

Present and not voting, 1:

Preister

Excused and not voting, 1:

Dierks

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 973A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 973, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Cudaback
Dickey Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Redfield

Excused and not voting, 1:

Dierks

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1119 with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1119.

A BILL FOR AN ACT relating to insurance; to amend sections 44-3,153, 44-2909, 48-146.01, and 48-446, Reissue Revised Statutes of Nebraska, and sections 44-522 and 48-151, Revised Statutes Supplement, 1999; to adopt the Property and Casualty Insurance Rate and Form Act; to change provisions relating to workers' compensation insurance procurement; to eliminate the Property and Casualty Insurance Data Reporting Act and the Property and Casualty Insurance Rate and Form Act; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal sections 44-4601 to 44-4607, 44-5001 to 44-5019, and 44-5021 to 44-5039, Reissue Revised Statutes of Nebraska, and section 44-5020, Revised Statutes Supplement, 1999.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 1:

Dierks

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 812.

A BILL FOR AN ACT relating to schools; to amend sections 79-757 and 79-760, Revised Statutes Supplement, 1998; to provide for academic content standards and assessment and reporting of student learning; to provide duties; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Coordsen Crosby Engel Hilgert Hudkins
Janssen Jensen Kiel Kremer Kristensen
Landis Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schrock Smith Stuhr Suttle
Thompson Vrtiska Wehrbein Wickersham

Voting in the negative, 1:

Tyson

Present and not voting, 8:

Chambers Connealy Cudaback Dickey Hartnett
Jones Lynch Schmitt

Excused and not voting, 1:

Dierks

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 812A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 812, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Connealy
Coordsen
Dierks
Engel
Hilgert
Hudkins
Janssen
Jensen
Kiel
Kremer
Kristensen
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schrock
Smith
Stuhr
Suttle
Thompson
Wehrbein
Wickersham

Voting in the negative, 1:

Tyson

Present and not voting, 10:

Chambers
Crosby
Cudaback
Dickey
Hartnett
Jones
Landis
Lynch
Schmitt
Vrtiska

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 936 with 41 ayes, 2 nays, and 6 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 936.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Rural Economic Opportunities Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars

Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen
Landis	Lynch	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 5:

Chambers	Kiel	Raikes	Suttle	Thompson

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 936A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 936, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen
Landis	Lynch	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 5:

Chambers	Kiel	Raikes	Suttle	Thompson

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1401 with 42 ayes, 2 nays, and 5 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1401.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 79-234, 79-237, 79-240, 79-4,101, 79-573, 79-583, 79-817, 79-1092, 85-1641, 85-1642, and 85-1657, Reissue Revised Statutes of Nebraska, sections 79-214, 79-238, 79-1008.02, 79-1032, 79-1125, and 79-1162, Revised Statutes Supplement, 1998, and sections 13-511, 79-442, 79-458, 79-528, 79-1003, 79-1008.01, 79-1009, 79-1015.01, 79-1028, 79-1035, 79-1072.01 to 79-1072.03, 79-10,124, 79-1142, and 79-1155, Revised Statutes Supplement, 1999; to change notice requirements relating to budget hearings; to change provisions relating to school entrance document requirements, the enrollment option program, reorganization plan hearings, boundary changes, report filing dates, warrants, employment contracts, expenditure limitations, state aid, school funds, temporary mitigation funds, the Hardship Fund, certain site and building funds, special education, and private postsecondary career schools; to change and eliminate provisions relating to the School Finance Review Committee; to eliminate provisions relating to reserve teachers, the nonresident high school tuition fund, and Class V school tax provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-4,107, 79-8,102 to 79-8,105, and 79-1082, Reissue Revised Statutes of Nebraska, section 79-759, Revised Statutes Supplement, 1998, and section 79-1076, Revised Statutes Supplement, 1999.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Robak	Schimek	Schmitt	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 2:

Hartnett	Schrock

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1401A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1401, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Landis Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Crosby Lynch Schrock

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 171, 973, 973A, 1119, 812, 812A, 936, 936A, 1401, and 1401A.

SELECT FILE

LEGISLATIVE BILL 825. E & R amendment, AM7261, found on page 1495, was adopted.

Senator Price renewed her pending amendment, AM3238, found on page 1544.

The Price amendment was adopted with 25 ayes, 0 nays, and 24 present and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 825A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 26. E & R amendment, AM7254, found on page 1493, was adopted.

Senator Bromm renewed his pending amendment, AM3255, found on page 1618.

Senators Tyson and Aguilar asked unanimous consent to be excused until they return. No objections. So ordered.

The Bromm amendment was adopted with 25 ayes, 0 nays, 22 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 26A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 932. E & R amendment, AM7260, found on page 1490, was adopted.

Senator Landis renewed his pending amendment, AM3130, printed separately and referred to on page 1404.

Senator Beutler offered the following amendment to the Landis pending amendment:
FA397
Amend AM3130
On line 25, page 26 insert before "the" the word "only"
At the end of line 27, page 26 add "the qualified trustee shall accept no security which is not listed in subsection 10 of section 77-2387."
On page 29, line 13 add at the end of the sentence: "The report shall clearly notify the custodial trustee if the value of the securities deposited does not meet the statutory requirement."

The Beutler amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Senator Beutler offered the following amendment to the Landis pending amendment:
FA399
Amend FA397
Pg. 29 strike the word "trustee" and insert the word "official"

The Beutler amendment was adopted with 26 ayes, 0 nays, 22 present and not voting, and 1 excused and not voting.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

The Landis amendment, as amended, was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Landis renewed his pending amendment, AM2867, found on page 1597.

The Landis amendment was adopted with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

SELECT COMMITTEE REPORTS
Enrollment and Review

LEGISLATIVE BILL 819. Placed on Select File as amended.
E & R amendment to LB 819:
AM7269

1. In the Standing Committee amendments, AM3133:

a. On page 11, line 7, strike the second comma;

b. On page 13, line 4, strike "facility or service" and insert "health clinic";

c. On page 16, line 6, after "or" insert "health care";

d. On page 23, line 17, after "refusal" insert "to renew";

e. On page 24, line 4, after the comma insert "an applicant or"; in line 5 strike "(1) the licensee" and insert "the applicant or licensee (1)"; in lines 8 and 9 strike "the licensee"; in lines 15, 21, 23, 24, 26, and 27 before "licensee" insert "applicant or"; and in line 21 before "licensee's" insert "applicant's or";

f. On page 27, line 13, after "facilities" insert "and skilled nursing facilities";

g. On page 31, line 4, after "hospice" insert an underscored semicolon and strike "agency; and show as stricken";

h. On page 45, line 19, strike "17" and insert "16"; and

i. On page 155, line 18, strike "71-20,118,".

2. On page 1, strike lines 2 through 17 and insert "20-162, 30-3402, 37-1254.06, 44-526, 44-771, 44-772, 44-782, 44-2806, 44-2827.01, 60-4,164.01, 60-6,201, 60-6,202, 60-6,204, 68-1019.02, 68-1202, 69-2507, 71-1,147.15, 71-2049, 71-2079, 71-2084, 71-20,112, 71-3608, 71-3613, 71-5033, 71-6012, 71-6016, 71-6021, 71-6023, 71-6037, 71-6044, 71-6049, 71-6051, 71-6052, 71-6615, 71-6826, 71-7702, 76-1304, 77-2702.14, 77-2702.15,

77-2704.12, 77-3504, 81-604.01, 81-2210, 81-2243, 81-3201, and 83-392, Reissue Revised Statutes of Nebraska, sections 28-326, 68-1038, 71-168.02, 71-1,147.08, 71-1,147.35, 71-1,341, 71-511, 71-533, 71-1637, 71-2048.01, 71-2097, 71-20,103, 71-20,115, 71-20,116, 71-2411, 71-5803.01, 71-5803.02, 71-5803.05, 71-5803.08 to 71-5803.11, 71-5803.13, 71-5803.15, 71-5869, 71-6043, 71-6050, 71-6602, 71-6721, 71-6725, 71-6735, 71-7102, 71-7901, 71-8219, and 81-651, Revised Statutes Supplement, 1998, and sections 28-414, 44-793, 68-1006.01, 71-185.01, 71-1,103, 71-1,142, 71-1,147.09, 71-1,147.10, 71-1,200, 71-507, 71-2601, 71-51,102, 71-6053, 71-7613, 71-8507, and 81-502, Revised Statutes Supplement, 1999; to adopt the Health Care Facility Licensure Act; to change and eliminate provisions relating to licensing and regulating health care facilities and services; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 71-1,147.01, 71-1,147.04 to 71-1,147.07, 71-1,147.12, 71-2017.03, 71-2017.04, 71-2017.06, 71-2018, 71-2020, 71-2021, 71-2021.02, 71-2022, 71-2023.01 to 71-2023.07, 71-2026 to 71-2029, 71-5901, 71-5902, 71-5904 to 71-5909, 71-6018, 71-6024 to 71-6036, 71-6609, 71-6614, 71-7801, 71-7802, and 71-7805, Reissue Revised Statutes of Nebraska, sections 71-1,147.03, 71-2017, 71-2017.07, 71-2021.01, 71-2023, 71-2024, 71-20,117, 71-5903, 71-7804, and 71-7806, Revised Statutes Supplement, 1998, sections 71-1,147.02, 71-1,147.11, 71-2017.01, 71-20,118, 71-20,119, and 71-7803, Revised Statutes Supplement, 1999, section 71-1,147.08, Revised Statutes Supplement, 1998, as amended by section 88 of this legislative bill, and sections 71-1,147.09 and 71-1,147.10, Revised Statutes Supplement, 1999, as amended by sections 89 and 90 of this legislative bill.".

3. On page 2, strike lines 1 through 20.

LEGISLATIVE BILL 819A. Placed on Select File.

LEGISLATIVE BILL 1025. Placed on Select File as amended.
E & R amendment to LB 1025:
AM7270

1. In the Suttle amendment, AM2592:

a. On page 2, line 13, strike "reward, recognition" and insert "recognition, reward"; and

b. On page 3, line 10, "of this section" has been inserted after "(1)(a)"; in lines 12, 14, 16, and 18 after "serve" insert "for"; and in line 23 strike "board" and insert "Nebraska Center for Nursing Board".

2. On page 1, strike beginning with "the" in line 1 through "and" in line 3.

LEGISLATIVE BILL 1025A. Placed on Select File.

LEGISLATIVE BILL 1116. Placed on Select File as amended.

(E & R amendment, AM7273, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 1279. Placed on Select File as amended.
E & R amendment to LB 1279:
AM7272
1. On page 2, line 24, strike "act" and insert "Nebraska Budget Act".

LEGISLATIVE BILL 1101. Placed on Select File as amended.
E & R amendment to LB 1101:
AM7271
1. In the Chambers amendment, AM3114:
a. On page 2, line 20, after "provides" insert "companion";
b. On page 3, line 4, after "of" insert "senior companion"; and
c. On page 4, line 10, strike "volunteer".
2. On page 1, strike beginning with "adopt" in line 1 through line 3 and insert "amend section 81-2210, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Senior Companion Volunteer Program Act; to harmonize provisions; and to repeal the original section.".

LEGISLATIVE BILL 1101A. Placed on Select File.

LEGISLATIVE BILL 972. Placed on Select File as amended.
(E & R amendment, AM7274, may be found in the Bill Books. The amendment has been printed separately and is on file in the Bill Room - Room 1102.)

LEGISLATIVE BILL 972A. Placed on Select File.

(Signed) Adrian M. Smith, Chairperson

SELECT FILE

LEGISLATIVE BILL 1410. E & R amendment, AM7255, found on page 1494, was adopted.

Senator Chambers renewed his pending amendment, FA365, found on page 1530.

The Chambers amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Senator Wehrbein renewed his pending amendment, AM3273, found on page 1554.

The Wehrbein amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1410A. Senator Wehrbein renewed his pending amendment, AM3306, found on page 1609.

The Wehrbein amendment was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 925. E & R amendment, AM7265, printed separately and referred to on page 1592, was adopted.

Senator Landis renewed his pending amendment, AM3330, found on page 1618.

Senators Kristensen, Lynch, Vrtiska, Janssen, and Aguilar asked unanimous consent to be excused until they return. No objections. So ordered.

Senators Wickersham and Landis offered the following amendment to the Landis pending amendment:
AM3336

(Amendments to AM3330)

1. On page 15, line 25, after "(8)" insert "The Department of Revenue and the Department of Insurance shall issue a report by December 1, 2001, and by each December 1 through 2011 that provides the following information:

(a) The name and address of any business firm qualifying for a credit under this section;

(b) The number of child-years of child care provided to employees;

(c) The fees, if any, charged to employees to use the facility during the year;

(d) The total amount of credit that the firm qualified for and the amount used by the firm; and

(e) Whether or not the child care facility is accredited and whether or not the facility was inspected during the year.

(9) The Department of Revenue shall develop a form for claiming the credit allowed by this section stating that nay business firm seeking a credit under this section must supply the information listed in subsection (8) of this section as a condition for receiving the credit. None of the information provided on the form shall be considered confidential.

(10)".

The Wickersham-Landis amendment was adopted with 25 ayes, 0 nays, 18 present and not voting, and 6 excused and not voting.

Senator Wickersham offered the following amendment to the Landis pending amendment:
AM3334

(Amendments to AM3330)

1. On page 15, line 9, after "services" insert "that", strike lines 10 through 18 and insert "are qualified as a nontaxable fringe benefit under section 129 of the Internal Revenue Code of 1986, as amended.".

SENATOR CUDABACK PRESIDING

Senator Wickersham moved for a call of the house. The motion prevailed with 11 ayes, 0 nays, and 38 not voting.

Senator Wickersham requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 15:

Bohlke Bromm Byars Coordsen Dickey
Dierks Engel Hudkins Jensen Matzke
Raikes Redfield Schimek Wehrbein Wickersham

Voting in the negative, 19:

Aguilar Baker Bourne Brown Bruning
Connealy Crosby Hilgert Kiel Landis
Pedersen, Dw. Preister Price Quandahl Smith
Stuhr Suttle Thompson Tyson

Present and not voting, 10:

Beutler Chambers Cudaback Hartnett Jones
Kremer Pederson, D. Robak Schmitt Schrock

Excused and not voting, 5:

Brashear Janssen Kristensen Lynch Vrtiska

The Wickersham amendment lost with 15 ayes, 19 nays, 10 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Dierks asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Wickersham offered the following amendment to the Landis pending amendment:
AM3333

(Amendments to AM3330)

1. Strike beginning with "improvements" on page 11, line 24, through "the" on page 12, line 4, and insert "materials, supplies, food, equipment,".

2. On page 12, line 5 after "facility" insert an underscored comma; and in line 10 after "buildings" insert "or other improvements to real estate or any taxes, interest, depreciation, or other finance charges incurred in connection with real estate or improvements".

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

The Wickersham amendment lost with 6 ayes, 16 nays, 23 present and not voting, and 4 excused and not voting.

Senator Raikes offered the following amendment to the Landis pending amendment:
AM3338

(Amendments to AM3330)

1. On page 12, line 19, after "Licensure" insert "and accredited by a nationally recognized early childhood education organization"; in line 22 after "department" insert "and accredited by a nationally recognized early childhood education organization".

2. On page 13, line 26, strike beginning with the comma through line 27.

3. On page 14, strike lines 1 through 5.

4. On page 15, line 2, strike "only" and "two"; and in line 3 strike "years of" and "subsection (3) of".

Senators Jones and Schmitt asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Stuhr moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

The Raikes amendment lost with 11 ayes, 13 nays, 19 present and not voting, and 6 excused and not voting.

Senator Hilgert offered the following amendment to the Landis pending amendment:
AM3332

(Amendments to AM3330)

1. Strike section 3.

2. On page 5, line 2, after the period insert "Adult members of recipient families whose youngest child is under the age of twelve weeks shall not be required to engage in activities such as family nurturing, preemployment skills, or education required under this subsection."; and in lines 8, 9, and 13 strike the new matter and reinstate the stricken matter.

3. On page 23, line 25, strike "sections" through "68-1724" and insert "section 68-1723".

4. Renumber the remaining sections and correct internal references accordingly.

The Hilgert amendment was adopted with 25 ayes, 2 nays, 16 present and not voting, and 6 excused and not voting.

Senator Wickersham offered the following amendment to the Landis pending amendment:
AM3341

(Amendments to AM3330)

1. Strike sections 4 to 12 and all amendments thereto.

2. Renumber the remaining section accordingly.

Senator Wickersham moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

The Wickersham amendment lost with 10 ayes, 25 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

The Landis amendment, as amended, was adopted with 34 ayes, 2 nays, 8 present and not voting, and 5 excused and not voting.

Senator Hilgert withdrew his amendment, AM3309, found on page 1612.

Senator Landis moved for a call of the house. The motion prevailed with 41 ayes, 0 nays, and 8 not voting.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 31:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Brown	Bruning	Byars	Connealy
Crosby	Cudaback	Hartnett	Hilgert	Hudkins
Janssen	Kiel	Kristensen	Landis	Lynch
Pedersen, Dw.	Preister	Price	Quandahl	Redfield
Schimek	Smith	Stuhr	Suttle	Thompson

Tyson

Voting in the negative, 13:

Bromm Chambers Coordsen Dickey Engel
Jensen Kremer Matzke Pederson, D. Raikes
Vrtiska Wehrbein Wickersham

Present and not voting, 1:

Schrock

Excused and not voting, 4:

Dierks Jones Robak Schmitt

Advanced to E & R for engrossment with 31 ayes, 13 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 925A. E & R amendment, AM7266, found on page 1593, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1223. E & R amendment, AM7268, found on page 1596, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1223A. Senator Wehrbein renewed his pending amendment, AM3285, found on page 1597.

The Wehrbein amendment was adopted with 28 ayes, 2 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to E & R for engrossment.

UNANIMOUS CONSENT - Member Excused

Senator Vrtiska asked unanimous consent to be excused until he returns. No objections. So ordered.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Reengrossed

The following bill and resolution were correctly reengrossed: LB 1004 and LR 6CA.

Correctly Engrossed

The following bills were correctly engrossed: LBs 26, 26A, 349, 495, 495A, 825, 825A, 901, 901A, 956, 1003, 1003A, 1008, 1008A, 1010, 1067, 1086, 1167, 1167A, 1200, 1221, 1234, 1234A, 1251, and 1304.

Enrollment and Review Change to LB 825

The following changes, required to be reported for publication in the Journal, have been made:

ER9159

1. In the Standing Committee amendments, AM2040:

a. On page 7, line 11, the first "to" has been struck and "of" inserted and "for" has been struck and "to" inserted; and

b. On page 8, line 8, "by" has been inserted after "sent".

Enrollment and Review Change to LB 1067

The following changes, required to be reported for publication in the Journal, have been made:

ER9155

1. In the Wickersham amendment, AM3205, on page 18, line 9, "or required to be registered" has been inserted after "registered".

2. On page 1, the matter beginning with "tax" in line 1 through line 7 and all amendments thereto have been struck and "; to amend sections 66-485, 66-487, 66-488, 66-491, 66-492, 66-4,114, 66-4,147, 66-525, 66-527, 66-651, 66-654, 66-667, 66-673, 66-674, 66-675, 66-684, 66-694, 66-698, 66-6,110, 66-6,115, 66-719, 66-722, 66-723, and 66-727, Reissue Revised Statutes of Nebraska, and sections 66-4,141, 66-4,142, 66-4,144, 66-681, 66-718, and 66-1521, Revised Statutes Supplement, 1998; to change provisions relating to exporters, permits, licenses, penalties, and filings; to define and redefine terms; to change the manner of setting variable fuel tax rates; to eliminate the State Tax Board, obsolete provisions, and provisions relating to tax collection; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 66-493, 66-4,115, 66-691.01, 66-696, and 66-730, Reissue Revised Statutes of Nebraska, and sections 77-501, 77-502, and 77-503, Revised Statutes Supplement, 1998; and to declare an emergency." inserted.

Enrollment and Review Change to LB 1086

The following changes, required to be reported for publication in the Journal, have been made:
ER9158

1. In the E & R amendments, AM7262, on page 1, line 2, "limited period bingo," has been inserted after the comma.
2. On page 16, line 23, "and" has been struck and ", shall" inserted; and in line 25 a comma has been inserted after "regulation".
3. On page 30, line 23; and page 31, line 7, "and" has been struck and an underscored comma inserted.
4. On page 44, line 18, the second comma has been struck.
5. On page 50, line 20, "(1)" has been inserted before "A".

Enrollment and Review Change to LB 1234

The following changes, required to be reported for publication in the Journal, have been made:
ER9157

1. In the Schrock amendment, AM3324, and the E & R amendments, AM7251, changes have been made as necessary to incorporate all adopted amendments.
2. On page 1, the matter beginning with "improve" in line 1 through line 6 and all amendments thereto have been struck and "amend sections 23-373, 76-2,112, 81-1532, 81-15,152, and 81-15,153, Reissue Revised Statutes of Nebraska, section 19-902, Revised Statutes Supplement, 1998, and section 23-114, Revised Statutes Supplement, 1999; to state intent; to define terms; to create the Niobrara Council; to provide powers and duties; to create a fund; to provide for grants for wastewater treatment facilities; to create the Ethanol Pricing Task Force; to provide duties and a termination date; to prohibit the sale of methyl tertiary butyl ether as prescribed; to provide for a study and findings relating to water quality monitoring; to eliminate provisions relating to the Niobrara River and wastewater treatment facility funds; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal section 81-1533, Reissue Revised Statutes of Nebraska, and sections 72-2001 to 72-2004, Revised Statutes Supplement, 1998." inserted.

Enrollment and Review Change to LB 1234A

The following changes, required to be reported for publication in the Journal, have been made:
ER9156

1. On page 1, line 1, "to amend Laws 1999, LB 880, section 134;" has been inserted after the semicolon; and in line 3 "; to change appropriations; and to repeal the original section" has been inserted after "2000".

Enrollment and Review Change to LR 6CA (Final Reading copy)

The following changes, required to be reported for publication in the Journal, have been made:
ER9154
1. On page 2, line 9, "except as otherwise provided by law" has been inserted after "offices".

(Signed) Adrian M. Smith, Chairperson

SELECT FILE

LEGISLATIVE BILL 1115. E & R amendment, AM7246, printed separately and referred to on page 1348, was adopted.

Senator Redfield withdrew her amendment, AM2904, found on page 1137.

Senator Jensen withdrew his amendment, AM2933, found on page 1235.

Senator Byars withdrew his amendment, AM3027, found on page 1240.

Senator Brashear withdrew his amendment, AM2916, found on page 1139.

Senator Dierks withdrew his amendment, AM2943, found on page 1173.

Senator Dierks withdrew the Dierks-Jensen amendment, AM2953, found on page 1175.

Senator Kiel renewed her pending amendment, AM3043, found on page 1254.

Senator Kiel withdrew her amendment.

Senator Bromm asked unanimous consent to replace the Bromm-Thompson amendment, AM3049, found on page 1341, with a substitute amendment. No objections. So ordered.

Senator Bromm withdrew the Bromm-Thompson amendment, AM3049, found on page 1341.

Senators Bromm and Thompson offered the following substitute amendment:
AM3339

(Amendments to E & R amendments, AM7246)

1. Strike section 86.
2. On page 109, line 19, strike "or its political subdivisions".
3. On page 116, line 9, strike "71-5713,".

4. Renumber the remaining sections accordingly.

The Bromm-Thompson amendment was adopted with 27 ayes, 2 nays, 16 present and not voting, and 4 excused and not voting.

Senator Thompson withdrew her amendment, AM3076, found on page 1341.

Senator Hartnett withdrew his amendment, AM3054, found on page 1383.

Senator Engel withdrew his amendment, AM3059, found on page 1597.

Senator Suttle withdrew her amendment, AM2875, found on page 1093.

Senator Hilgert withdrew his amendment, AM2987, found on page 1228.

Senator Suttle withdrew the Suttle et al. amendment, AM2525, printed separately and referred to on page 1084.

Advanced to E & R for engrossment.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 6, 2000, at 11:25 a.m., were the following: LBs 171, 973, 973A, 1119, 812, 812A, 936, 936A, 1401, and 1401A.

(Signed) Diana Bridges
Clerk of the Legislature's Office

AMENDMENTS - Print in Journal

Senators Schimek and Wickersham filed the following amendment to LB 1021:
AM3321

(Amendments to E & R amendments, AM7267)

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 49-1401, Revised Statutes Supplement, 1999, is amended to read:

49-1401. Sections 49-1401 to 49-14,141 and sections 4, 7, and 9 of this act shall be known and may be cited as the Nebraska Political Accountability and Disclosure Act. Any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-1499.01 and 49-14,103.01 to 49-14,103.07. After August 25, 1989, any reference to sections 49-1401 to 49-14,138 shall be construed to include sections 49-14,123.01 and 49-14,140.

Sec. 2. Section 49-1403, Reissue Revised Statutes of

Nebraska, is amended to read:

49-1403. For purposes of the Nebraska Political Accountability and Disclosure Act, unless the context otherwise requires, the definitions found in sections 49-1404 to 49-1444 and section 4 of this act shall be used.

Sec. 3. Section 49-1423, Reissue Revised Statutes of Nebraska, is amended to read:

49-1423. With the exception of sections 49-1480 to 49-1492, gift ~~as used in sections 49-1401 to 49-14,138~~ shall mean a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is given therefor. Gift shall not include a campaign contribution otherwise reported as required by law, a commercially reasonable loan made in the ordinary course of business, or a gift received from ~~a member of the individual's immediate family or from~~ a relative.

Sec. 4. Relative shall mean a spouse, father, mother, stepparent, grandfather, grandmother, brother, sister, son, daughter, stepchild, child or children legally adopted as such in conformity with the laws of the state where adopted, any lineal descendant, any lineal descendant legally adopted as such in conformity with the laws of the state where adopted, any person to whom an individual for not less than ten years prior to receipt of a gift or loan has stood in the acknowledged relation of a parent or spouse, or the spouse or surviving spouse of any such persons.

Sec. 5. Section 49-1483, Reissue Revised Statutes of Nebraska, is amended to read:

49-1483. (1) Every registered lobbyist for each of his or her principals, and every principal employing a registered lobbyist, shall file a separate statement for each calendar quarter with the Clerk of the Legislature within fifteen days after the end of each calendar quarter.

Each statement shall show the following:

(a) The total amount received or expended directly or indirectly for the purpose of carrying on lobbying activities, with the following categories of expenses each being separately itemized: (i) Miscellaneous expenses; (ii) entertainment, including expenses for food and drink as provided in subdivision (2)(b) of this section; (iii) lodging expenses; (iv) travel expenses; ~~and (v) lobbyist fees for lobbyist services~~ (v) lobbyist compensation, except that when a principal retains the services of a person who has only part-time lobbying duties, only the compensation paid which is reasonably attributable to influencing legislative action need be reported; ~~and~~ (vi) lobbyist expense reimbursement; (vii) admissions to a state-owned facility or a state-sponsored industry or event as provided in subdivision (2)(b) of this section; and (viii) office expenses, if reported;

(b) A detailed statement of any money which is loaned, promised, or paid by a lobbyist, a principal, or anyone acting on behalf of either to an official in the executive or legislative branch or member of such official's staff. The detailed statement shall identify the recipient and the amount and the terms of the loan, promise, or payment; and

(c) The total amount expended for gifts, other than admissions to a state-owned facility or a state-sponsored industry or event, as provided in subdivision (2)(b) of this section.

(2)(a) The statement is not required to include office expenses.

(b) For purposes of entertainment expenses reported under subdivision (1)(a)(ii) of this section, admissions reported under subdivision (1)(a)(vii) of this section, and gifts reported under subdivision (1)(c) of this section, the statement shall disclose the aggregate expenses for such entertainment, admissions, and gifts for each of the following categories of elected officials: Members of the Legislature; and officials in the executive branch of the state. For purposes of this subdivision, entertainment expenses do not include the cost of events at which the attendance of a member of the Legislature or an official in the executive branch of the state is not the primary reason for the event.

(c) The lobbyist shall also file any changes or corrections to the information set forth in the registration required pursuant to section 49-1480 so as to reflect the correctness of such information as of the end of each calendar quarter for which such statement is required by this section.

(3) If a lobbyist does not expect to receive lobbying receipts from or does not expect to make lobbying expenditures for a principal, the quarterly statements required by this section as to such principal need not be filed by the lobbyist if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A lobbyist exempt from filing quarterly statements pursuant to this section shall (a) file a statement of activity pursuant to section 49-1488 and (b) resume or commence filing quarterly statements with regard to such principal starting with the quarterly period the lobbyist receives lobbying receipts or makes lobbying expenditures for such principal.

(4) If a principal does not expect to receive lobbying receipts or does not expect to make lobbying expenditures, the quarterly statements required pursuant to this section need not be filed by the principal if the principal and lobbyist both certify such facts in writing to the Clerk of the Legislature. A principal exempt from filing quarterly statements pursuant to this section shall commence or resume filing quarterly statements starting with the quarterly period the principal receives lobbying receipts or makes lobbying expenditures.

(5) For purposes of ~~this section~~ sections 49-1480 to 49-1492 and section 7 of this act, calendar quarter shall mean the first day of January through the thirty-first day of March, the first day of April through the thirtieth day of June, the first day

of July through the thirtieth day of September, and the first day of October through the thirty-first day of December.

Sec. 6. Section 49-1490, Reissue Revised Statutes of Nebraska, is amended to read:

49-1490. (1) No principal, lobbyist, or person acting on behalf of either shall within one calendar month give any gifts with an aggregate value of more than fifty dollars to the following:

(a) An official or a member of the official's staff in the executive branch of state government;

(b) An official or a member of the official's staff in the legislative branch of state government; or

(c) A member of the immediate family of an official in the executive or legislative branch of state government.

(2) No official or member of the official's staff in the executive or legislative branch of state government or member of the official's immediate family shall within one calendar month accept from a principal, lobbyist, or person acting on behalf of either any gifts with an aggregate value of more than fifty dollars. ~~(1) A principal, lobbyist, or anyone acting on behalf of either shall not give a gift to any official or member of any official's staff in the executive or legislative branch of state government or any member of an official's immediate family. Any person who knowingly gives a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

~~(2) An official or any other person on his or her behalf in the legislative or executive branch of state government or a member of such official's staff or immediate family shall not solicit or accept a gift in violation of subsection (1) of this section. Any person who knowingly solicits or accepts a gift in violation of this subsection shall be guilty of a Class III misdemeanor.~~

(3) As used in sections 49-1480 to 49-1492 and section 7 of this act, gift shall mean a payment, subscription, advance, forbearance, or honorarium or the rendering or deposit of money, services, or anything of value, ~~the value of which exceeds fifty dollars in any one-month period,~~ unless consideration of equal or greater value is received therefor. Gift shall not include:

(a) A campaign contribution otherwise reported as required by law;

(b) A commercially reasonable loan made in the ordinary course of business;

(c) ~~A gift~~ An item of value received from a ~~member of the person's immediate family, a relative, or the spouse of any such~~ relative;

(d) A breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption; or

(e) ~~Admissions to state-regulated industries, facilities,~~

~~or events;~~ ~~or~~

~~(f)~~ The occasional provision of transportation within the State of Nebraska to an officeholder.

(4) An admission to a state-owned facility or a state-sponsored industry or event may be given by any sponsoring agency, political subdivision, or publicly funded postsecondary educational institution and accepted regardless of value.

(5) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 7. (1) Any agency, political subdivision, or publicly funded postsecondary educational institution which gives a gift of an admission to a state-owned facility or a state-sponsored industry or event to an official or a member of the official's staff in the executive branch of state government, an official or a member of the official's staff in the legislative branch of state government, or a member of the immediate family of an official in the executive or legislative branch of state government shall report the gift on a form prescribed by the commission.

(2) The report shall be filed with the Clerk of the Legislature within fifteen days after the end of the calendar quarter in which the gift is given. The report shall include the following:

(a) The identity of the agency, political subdivision, or publicly funded postsecondary educational institution;

(b) A description of the gift;

(c) The value of the gift; and

(d) The name of the recipient of the gift and the following:

(i) If the recipient is an official in the executive or legislative branch of state government, the office held by the official and the branch he or she serves;

(ii) If the recipient is a member of an official's staff in the executive or legislative branch of state government, his or her job title and the name of the official; or

(iii) If the recipient is a member of the immediate family of an official in the executive or legislative branch of state government, his or her relationship to the official and the name of the official.

(3) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 8. Section 49-1496, Reissue Revised Statutes of Nebraska, is amended to read:

49-1496. (1) The statement of financial interests filed pursuant to sections 49-1493 to 49-14,104 shall be on a form prescribed by the commission.

(2) Individuals required to file under sections 49-1493 to 49-1495 shall file the following information for themselves:

(a) The name and address of and the nature of association with any business with which the individual was associated and any entity in which a position of trustee was held during the preceding year;

(b) The name, address, and nature of business of a person, including a government, political subdivision, or body corporate, from whom any income in the value of one thousand dollars or more was received during the preceding year and the nature of the services rendered. If income results from employment by, operation of, or participation in a proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person, the person may list the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person as the source and not the patrons, customers, patients, or clients of the proprietorship, partnership, limited liability company, professional corporation or business or nonprofit corporation, or other person;

(c) A description, but not the value, of the following, if the fair market value thereof exceeded one thousand dollars: The nature and location of all real property in the state, except the residence of the individual; the depository of checking accounts and savings accounts; the issuer of stocks, bonds, and government securities; and a description of all other property owned or held for the production of income, except property owned or used by a business with which the individual was associated;

(d) The name and address of each creditor to whom the value of one thousand dollars or more was owed or guaranteed by the filer or a member of the filer's immediate family. Accounts payable, debts arising out of retail installment transactions or from loans made by financial institutions in the ordinary course of business, loans from a relative, and land contracts that have been properly recorded with the county clerk or the register of deeds need not be included;

(e) The name, address, and occupation or nature of business of any person from whom a gift in the value of more than one hundred dollars was received, a description of the gift, the monetary value category of the gift, and the circumstances of ~~each~~ the gift. For purposes of this subdivision, the monetary value of gifts shall be categorized based on a good faith estimate by the individual required to report as follows: Category (i): $100.01 - $200; category (ii): $200.01 - $500; category (iii): $500.01 - $1,000; and category (iv): $1,000.01 or more. The definition of gift is as set forth in section 49-1423; and

(f) Such other information as the person required to file the statement or the commission deems necessary, after notice and hearing, to carry out the purposes of the Nebraska Political Accountability and Disclosure Act.

Sec. 9. The commission shall adopt and promulgate rules and regulations prior to January 1, 2001, to carry out the changes made by this legislative bill.

Sec. 10. Sections 9 and 10 of this act become operative on their effective date. The other sections of this act become operative on January 1, 2001.

Sec. 11. Original sections 49-1403, 49-1423, 49-1483, 49-1490, and 49-1496, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1999, are repealed.".

Senator Bromm filed the following amendment to LB 1213:
AM3340

(Amendments to Final Reading copy)

1. Insert the following new section:

"Sec. 13. Section 79-1065, Revised Statutes Supplement, 1998, is amended to read:

79-1065. The State Department of Education shall adjust payments provided under Chapter 79 to school districts which, after final determination, received funds not equal to the appropriate allocation for the previous school fiscal year such that the district will receive the funds to which it was finally determined to be entitled. If the adjustment under this section results in a district being entitled to the payment of additional funds, the department shall make such payment in a lump sum not later than the last business day of September of the year in which the final determination under this section is made. If the total adjustment cannot be made from the funds to be provided in the current school fiscal year, the adjustment shall be prorated, with additional adjustments made to payments for future school fiscal years. The department shall maintain an accurate account and a record of the reasons the adjustments were made and the amount of such adjustments.".

2. On page 1, lines 1 and 2; and page 27, line 23, strike "and 79-1023" and insert ",79-1023, and 79-1065".

3. On page 1, line 8, after the semicolon insert "to provide for lump-sum payment of aid adjustment amounts;".

4. Renumber the remaining sections accordingly.

Senators Schimek and Bromm filed the following amendment to LR 494:
AM3344

1. Strike subsection (1) of section 4 and insert:

"(1)(a) The Redistricting Task Force, created by LR 174 in 1999, which was continued by LR 297 in 2000, shall draft and recommend the substantive and procedural guidelines that will guide the Legislature's 2001 redistricting process. The substantive and procedural guidelines shall be formulated by the beginning of the 2001 legislative session and presented to the Legislative Council for its approval.

(b) In 2001, the task force established by this resolution shall, based upon the data received from the United States Bureau of the Census, compile statistics, redraw congressional district boundaries and other district boundaries,

13 and prepare redistricting plans and maps reflecting the proposed
14 new boundaries.".

RESOLUTION

LEGISLATIVE RESOLUTION 497. Introduced by Natural Resources Committee: Schrock, 38, Chairperson; Bromm, 23; Jones, 43; Kremer, 34; Stuhr, 24.

PURPOSE: The purpose of this study is to examine the effect on the environment including, but not limited to, air and water pollution, of the individual chemical components of gasoline.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITORS

Visitors to the Chamber were 35 fourth grade students and teachers from Dodge Elementary School, Grand Island; 40 seniors from Hebron High School; 25 students and teacher from Norfolk; Bob, Mary, and David Kraft from Gering and Janet, Cory, and Holly Mottershead from Scottsbluff; and 43 fourth grade students and teachers from Wasmer Elementary School, Grand Island.

ADJOURNMENT

At 2:10 p.m., on a motion by Speaker Kristensen, the Legislature adjourned until 9:00 a.m., Monday, April 10, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-EIGHTH DAY - APRIL 10, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 10, 2000

PRAYER

The prayer was offered by Pastor Melvin Brown, Nazarene Church, McCook, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Bohlke, Engel, Kiel, Dw. Pedersen, Raikes, Schrock, and Tyson who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-seventh day was approved.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 925, 925A, 1115, 1223, 1223A, 1410, and 1410A.

Enrollment and Review Change to LB 925

The following changes, required to be reported for publication in the Journal, have been made:
ER9161
1. In the Landis amendment, AM3330:
a. On page 14, line 7, "the" has been struck; and
b. On page 15, line 2, "operative date of this section" has been struck and "effective date of this act" inserted; in line 3 "(3)" has been struck and "(2)"

inserted; and in line 20 "on or" has been inserted after "section".

2. In the E & R amendments, AM7265, on page 17, line 21, "68-1724," has been struck and "77-2717," has been inserted before "and".

Enrollment and Review Change to LB 1115

The following changes, required to be reported for publication in the Journal, have been made:
ER9162
1. In the E & R amendment, AM7246, on page 115, line 14, "71-5713," has been struck.

Enrollment and Review Change to LB 1223

The following changes, required to be reported for publication in the Journal, have been made:
ER9164
1. On page 1, the matter beginning with "qualification" in line 5 through "members" in line 6 has been struck and "reports and qualification for tax credits" inserted.

Enrollment and Review Change to LB 1410

The following changes, required to be reported for publication in the Journal, have been made:
ER9160
1. On page 1, the matter beginning with "to" in line 1 through the semicolon in line 2 has been struck and "to Nebraska history; to amend section 90-404, Reissue Revised Statutes of Nebraska; to authorize the Game and Parks Commission to accept a gift of real estate for Arbor Lodge State Historical Park;" inserted; and in line 4 "to repeal the original section;" has been inserted after the semicolon.

(Signed) Adrian M. Smith, Chairperson

MESSAGES FROM THE GOVERNOR

April 6, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 628, 953e, 968e, 968A, 1253, and 1285e were received in my office on April 3, 2000.

These bills were signed by me on April 6, 2000, and delivered to the

Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

April 7, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bill 1352e was received in my office on April 3, 2000.

This bill was signed by me on April 7, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

RESOLUTION

LEGISLATIVE RESOLUTION 495. Read. Considered.

LR 495 was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

MOTION - Return LB 833 to Select File

Senator Beutler moved to return LB 833 to Select File for the following specific amendment:
FA400
Strike in Sec. 4 subsections 3(a), 3(b), 6(a), 6(b), and 6(c) all new language and restore the old language.

Senators Wehrbein and Brashear asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Beutler withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 833.

A BILL FOR AN ACT relating to veterinary medicine; to amend sections 71-1,153, 71-1,158, 71-1,160, and 71-1,161, Reissue Revised Statutes of Nebraska, and sections 71-112, 71-1,152.01, and 71-1,154, Revised Statutes Supplement, 1999; to change and eliminate provisions of the Nebraska Veterinary Practice Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1,168 to 71-1,170, 71-1,172 to 71-1,176, 71-1,178, 71-1,180, 71-1,181, and 71-1,183 to 71-1,185, Reissue Revised Statutes of Nebraska, and section 71-1,171, Revised Statutes Supplement, 1999.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Baker	Beutler	Bohlke	Bourne
Bromm	Brown	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Hartnett	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Redfield	Robak
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Hilgert

Excused and not voting, 3:

Brashear	Engel	Wehrbein

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 833A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 833, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bohlke
Bourne
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska

Voting in the negative, 0.

Present and not voting, 2:

Hilgert
Wickersham

Excused and not voting, 3:

Brashear
Engel
Wehrbein

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 833 and 833A.

STANDING COMMITTEE REPORT
Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Information Technology Commission
H. H. "Hod" Kosman
Pamela Vanlandingham

VOTE: Aye: Senators Bromm, Jones, Robak, Hudkins, Baker, Byars, and Dw. Pedersen. Nay: None. Absent: Senator Thompson.

(Signed) Curt Bromm, Chairperson

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bill was correctly engrossed: LB 932.

Enrollment and Review Change to LB 932

The following changes, required to be reported for publication in the Journal, have been made:
ER9163
1. In the Landis amendment, AM2867:
a. Section 25 has been renumbered as section 29; and
b. Amendment 2 has been struck.
2. In the Beutler amendment, FA397, on page 1, "subsection" has been struck and "subdivision" inserted and "line 13" has been struck and "line 27" inserted.
3. In the Landis amendment, AM3130:
a. Section 33 has been renumbered as section 28;
b. On page 26, line 25, "subsection" has been struck and "subdivision" inserted; and
c. On page 36, line 8, "8-148.07," has been inserted after "sections"; and in line 10 "45-116," has been inserted after "30-3205,".
4. On page 1, the matter beginning with "sections" in line 1 through line 17 and all amendments thereto have been struck and "sections 8-148.07, 8-301, 8-305, 8-317, 8-331, 8-334, 8-336, 8-340, 8-345.01, 8-346, 8-1103, 8-1111, 8-1120, 8-1502, 21-1701, 21-1767, 21-1768, 30-3205, 45-116, 45-205, 45-337, 45-717, 45-919, 72-1263, 72-1264, 77-2327, 77-2386, 77-2390, 77-2395, and 81-885.21, Reissue Revised Statutes of Nebraska, sections 8-101, 8-205, 8-223, 8-910, and 77-2387, Revised Statutes Supplement, 1998, and sections 8-157.01, 8-1,140, 8-355, 8-602, 21-17,115, 45-137, and 77-2391, Revised Statutes Supplement, 1999; to revise the powers of bank subsidiary corporations, state-chartered banks, building and loan associations, and credit unions; to change provisions relating to automatic teller machines, the Nebraska Trust Company Act, building and loan companies, department fees, the Nebraska Bank Holding Company Act of 1995, the Securities Act of Nebraska, acquisitions and mergers, the Credit Union Act, investments by fiduciaries, installment loans, revolving charge agreements, installment sales, the Mortgage Bankers Registration and Licensing Act, the Delayed Deposit Services Licensing Act, the deposit of public funds, and real estate trust accounts; to require a fidelity bond from credit unions; to eliminate provisions relating to foreign building and loan associations; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 8-342 to 8-345, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.
5. On page 2, lines 1 through 5 have been struck.
6. On page 3, line 9; page 12, line 9; and page 49, line 23, "effective date of this act" has been struck and "operative date of this section" inserted.

7. On page 46, line 7, "director" has been struck, shown as stricken, and "Director of Banking and Finance" inserted.

(Signed) Adrian M. Smith, Chairperson

REPORT OF THE EXECUTIVE BOARD

2000 Resolution calling for an Interim Study

LR 497	Interim study of the individual chemical components of gasoline and air and water pollution Natural Resources

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

SELECT FILE

LEGISLATIVE BILL 1021. E & R amendment, AM7267, printed separately and referred to on page 1596, was adopted.

Senator Wickersham asked unanimous consent to replace his pending amendment, AM3277, found on page 1554, with a substitute amendment. No objections. So ordered.

Senator Wickersham withdrew his amendment, AM3277, found on page 1554.

Senators Schimek and Wickersham renewed their substitute pending amendment, AM3321, found on page 1647.

Senator Quandahl asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler offered the following amendment to the Schimek-Wickersham pending amendment:
AM3353

(Amendments to AM3321)

1. On page 5, line 14, after "dollars" insert "or within one calendar year give any gifts with an aggregate value of more than three hundred dollars".

Senator Jones asked unanimous consent to be excused until he returns. No objections. So ordered.

The Beutler amendment was adopted with 25 ayes, 8 nays, 14 present and not voting, and 2 excused and not voting.

Senator Beutler offered the following amendment to the Schimek-Wickersham pending amendment:
AM3352

(Amendments to AM3321)

1. Insert the following new section:

"Sec. 6. (1) No official, spouse of an official, or member of the official's staff in the executive or legislative branch of state government shall within one calendar year accept gifts with an aggregate value of more than one thousand dollars from any entity or individual other than a relative.

(2) For purposes of this section, gift has the same meaning as in section 49-1490.

(3) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.".

2. Renumber the remaining sections and correct internal references accordingly.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

Pending.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 495.

SELECT FILE

LEGISLATIVE BILL 1021. The Beutler pending amendment, AM3352, found in this day's Journal, to the Schimek-Wickersham pending amendment, AM3321, found on page 1647 and considered in this day's Journal, was renewed.

Senator Landis moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Beutler withdrew his amendment.

Senators Smith, Bohlke, Engel, Landis, D. Pederson, Kremer, and Baker moved to reconsider the vote taken on the Beutler amendment, AM3353, found on page 1661.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

Senator Dierks moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

The Smith et al. motion to reconsider the Beutler amendment, AM3353, prevailed with 31 ayes, 5 nays, 11 present and not voting, and 2 excused and not voting.

Pending.

MESSAGES FROM THE GOVERNOR

April 10, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 153e, 153Ae, 482, 482A, 557, 950e, 950Ae, 957e, 1243, 1243A, 1363, 1399e, 1124e, 1124Ae, 1348, 1348A, 352e, and 352Ae were received in my office on April 4, 2000; and Engrossed Legislative Bills 973, 973A, 1119, 812, 812A, 936, and 936A were received on April 6, 2000.

These bills were signed by me on April 10, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 289e and LB 289Ae without my signature and with my objections.

The requirement under LB 289e that county boards file county zoning regulations and any amendments with the Secretary of State is an unnecessary new state mandate upon counties that results in a duplication of government services.

I urge you to sustain my veto of LB 289e and LB 289Ae.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 414 and LB 414A without my signature and with my objections.

While LB 414 will have a General Fund impact of only $147,134 in FY 2000-01, the cost increases to $3,737,539 in FY 2001-02. In FY 2002-03, the General Fund impact is projected to be $5,977,225. The fiscal impact of LB 414 is simply too burdensome given the status of our current State's budget.

I urge you to sustain my veto of LB 414 and LB 414A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1092 and LB 1092A without my signature and with my objections.

LB 1092 suggests the need for further study into the feasibility of developing a state meat inspection program. I believe that it would be premature to hire a permanent full-time program administrator to conduct such a study. It would be more prudent to conduct an interim study to explore the interest and feasibility of such a program. After receiving the results of such a study, the details of any necessary statutory changes, cooperative agreements, and other requirements could be developed.

I urge you to sustain my vetoes of LB 1092 and LB 1092A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 1363A with my signature but with certain line-item reductions.

I have vetoed $17,642 appropriated to the Nebraska Mexican American Commission for FY 2000-01. The Commission experienced an extended period of two staff vacancies during the current biennium. As a result of these temporary vacancies, an opportunity exists for the Commission to utilize accrued vacancy savings of approximately $20,000 toward the first year expenses of the Task Force on the Productive Integration of the Immigrant Workforce Population.

I urge you to sustain this reduction.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1399A with my signature but with certain line-item reductions.

I have vetoed $820,000 Cash Funds appropriated for FY2000-01 and FY2001-02 to the Nebraska Department of Education, as well as the accompanying $820,000 transfers from the General Fund to the Attracting Excellence to Teaching Program Cash Fund.

The general fund line-item reductions amount to $1,230,000 over the next three years. My rationale for these line-item vetoes is based not only on the fiscal impact of the bill in our current state budget, but also upon the fact that the loan forgiveness program funded by LB 1399A will be one of many considered by the Teacher Salary Task Force in its consideration of future teacher pay, retention, and incentive packages.

For these reasons, I urge you to sustain the line-item reductions.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 480 without my signature and with my objections. I am returning LB 480A with my signature and with line-item reductions.

LB 480 establishes the Women's Health Initiative of Nebraska within the Department of Health and Human Services. A new council of up to 30 members is created to advise the Women's Health Initiative in carrying out its duties. The Department is to employ personnel, including an executive director, to carry out the powers and duties of the initiative.

While the issues raised by LB 480 are significant and deserve serious attention, I do not believe that the best way to address them is by creating a new division of government and spending additional money on administration. Women's health is a priority issue of this administration. Diseases and conditions which affect the lives of women, as well as men and children, receive careful attention and will be given a heightened focus through the Office of Public Health within the Health and Human Service System. I do not believe a segmented administrative approach is the best solution to deal with women's health care needs.

In LB 480A, I am vetoing the General Fund appropriations. I endorse the idea of seeking private gifts, donations, and new grants, and the Director of Health and Human Services has been instructed to aggressively pursue such funding. The Women's Initiative Cash Fund will be administratively created, and the cash appropriation which remains in the A-bill can be the seed money for those efforts. The cash fund appropriation will be administratively increased, as provided for in current law, when such gifts, donations, or grants are received for the purposes described in LB 480.

I urge you to sustain my veto of LB 480 and my line-item reductions to LB 480A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 652 and LB 652A without my signature and with my objections.

LB 652 transfers the Secure Youth Facility from the Department of Corrections to the Department of Health and Human Services, a proposal which I indicated that I could support. I believe the transfer has merit in providing an additional option for treating juveniles and bringing some relief to the overcrowding at the Youth Rehabilitation and Treatment Center at Kearney.

Also included in LB 652, however, is a shift of costs from the counties to the State. The bill would have the State assume costs for placing juveniles in facilities and programs where the State cannot exercise an appropriate level of responsibility.

In conjunction with the Juvenile Correctional Facilities Master Plan released in December of last year, I believe Nebraska's priorities should include working toward developing a continuum of services for delinquent youth. Along with those services must come the accountability of a single point of entry assessment process, or "gatekeeper," which would enable the State to decide on treatment options within a spectrum of all available resources. My budget recommendations included two elements needed to develop that continuum of services, a Wilderness Camp program and a parole revocation facility. Although, those options were not endorsed by the Legislature, the pure cost shift contained in LB 652 is not a viable alternate solution to this issue.

I am willing to engage in discussion over which services are felt to be the highest priorities, but within the constraints of the resources which Nebraska taxpayers are willing to commit, we should continue along a pathway which provides appropriate services and ensures accountability. We simply cannot assume the burden of new costs without those accountability assurances.

I urge you to sustain my vetoes of LB 652 and LB 652A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 717 and LB 717A without my signature and with my objections.

LB 717 and LB 717A are not necessary to enable Local Emergency Planning Committees to conduct planning and programs approved by the State Emergency Response Commission under the Nebraska Emergency Planning and Community Right to Know Act. Given the status of our current State budget, and the fact that other funding sources are available for this program, I urge you to sustain my veto of LB 717 and 717A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
And Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 922 and LB 922A without my signature and with my objections.

The Judicial Resources Commission recommendation for an additional district court judgeship in the 11th Judicial District has merit. The amended legislation, however, will have a General Fund impact of $693,934 in FY 2000-01 and FY 2001-02. Given our State's current budgetary constraints, I do not believe these expenditures to be justified this year.

I urge you to sustain my vetoes of LB 922 and LB 922A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
And Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 957A with my signature but with certain line-item reductions.

The General Fund appropriations of $110,000 in FY2000-01 and $110,000 in FY2001-02 are vetoed. The estimated cash fund appropriation of $80,000 for FY2000-01 from the Carbon Sequestration Assessment Fund remains. It is my expectation that other public and private sources will be made available to allow the carbon sequestration study to move forward.

I urge you to sustain the reductions to LB 957A.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
And Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1107 without my signature and with my objections.

LB 1107 would cap at 47 percent the amount of property taxes that can be included as a formula resource in the state aid formula under the Tax Equity an Educational Opportunities Support Act. While the objective of providing property tax relief is laudable, and one I strongly support, I object to LB 1107 for the following two reasons: 1) the state aid to schools formula is not the best or most effective vehicle for providing property tax relief, and 2) LB 1007 reinforces an automatic process of establishing an appropriation for over 30 percent of our General Fund budget without regard to other important State needs and priorities.

For these reasons, I urge you to sustain this veto.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
And Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 171 without my signature and with my objections.

I sympathize with the Legislature's desire to provide the television broadcasting industry with some relief from a federal mandate. This bill, however, would set a dangerous and, in my opinion, an unwise precedent. If the State were to grant an exemption for the broadcasting industry, in fairness, then every industry subject to a federal mandate should expect to receive the same treatment. Regardless of federal mandates, the State must find a way to fund its priority obligations. In addition to setting an unwise precedent, the tax exemption included in LB 171 will deter the State from funding those obligations. Given the current budgetary situation, LB 171 cannot be justified.

I urge you to sustain my veto of LB 171.

Sincerely,
(Signed) Mike Johanns
Governor

April 10, 2000

Mr. President, Mr. Speaker,
And Members of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 1401 and LB 1401A without my signature and with my objections.

LB 1401 includes many provisions that are not objectionable. However, LB 1401 amends the Tax Equity and Educational Opportunities Act by excluding school systems receiving less than twenty percent of their general fund operating expenses from property taxes from the aid formula's "lop-off" provision. The practical effect of this change is to direct $1 million in additional state aid to only a few specific school districts.

I understand many of the spending proposals reaching my desk this session, including LB 1401, may have merit. This year, LB 1401 does not represent a state spending priority.

I urge you to sustain my vetoes of LB 1401 and LB 1401A.

Sincerely,
(Signed) Mike Johanns
Governor

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 10, 2000, at 9:50 a.m., were the following: LBs 833 and 833A.

(Signed) Diana Bridges
Clerk of the Legislature's Office

SELECT FILE

LEGISLATIVE BILL 1021. Senator Beutler withdrew his reconsidered amendment, AM3353, found on page 1661 and reconsidered on page 1662.

Senator Schimek offered the following amendment to the Schimek-Wickersham pending amendment:
AM3355

(Amendments to AM3321)

1. On page 4, strike lines 3 through 5 and insert "expenses shall be limited to the average cost attributable to an official if an entertainment expense is for an event to which persons other than such officials are invited.".

Senator Schimek moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

The Schimek amendment was adopted with 25 ayes, 5 nays, 18 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Brashear offered the following amendment to the Schimek-Wickersham pending amendment:
AM3347

(Amendments to AM3321)

1. On page 7, strike lines 6 through 27 and insert

"(4) An admission or a set of admissions to a series or season for the recipient and one guest to a state-owned facility or a state-sponsored industry or event may be given by any sponsoring agency, political subdivision, or publicly funded postsecondary educational institution and accepted regardless of value.

(5) For purposes of this section, a gift of an admission to a single state-owned facility or a single state-sponsored industry or event shall be considered as given in the month in which the admission is to be used and a gift of a set of admissions to a series or season of state-sponsored events shall be considered as given in the month in which the set of admissions is given.

(6) Any person who knowingly and intentionally violates this section shall be guilty of a Class III misdemeanor.

Sec. 4. (1) Any agency, political subdivision, or publicly funded postsecondary educational institution which gives a gift of an admission to a state-owned facility or a state-sponsored industry or event to a public official, a member of a public official's staff, or a member of the immediate family of a public official shall report the gift on a form prescribed by the commission, except that a gift of an admission to a facility or event given to a public official for the official and one guest need not be reported under this section if the gift is given by a sponsoring agency or publicly funded postsecondary educational institution to a public official who is an official or member of the governing body of the agency or institution.

(2) For purposes of this section, public official does not include an elected or appointed official of a political subdivision or school board.

(3) The report shall be filed with the Clerk of the Legislature within fifteen days after the end of the calendar quarter in which the gift is given. The report shall include the following:

(a) The identity of the agency, political subdivision, or publicly funded postsecondary educational institution;

(b) A description of the gift;

(c) The value of the gift; and

(d) The name of the recipient of the gift and the following:

(i) If the recipient is a public official, the office held by the official and the branch of state government he or she serves;

(ii) If the recipient is a member of a public official's staff, his or her job title and the name of the official; or

(iii) If the recipient is a member of the immediate family of a public official, his or her relationship to the official and the name of the official.

(4) Any person who knowingly and intentionally violates

this section shall be guilty of a Class III misdemeanor.".

2. On page 8, strike lines 1 through 15.

Pending.

VISITORS

Visitors to the Chamber were 50 kindergarten through sixth grade home school students and teacher from Omaha; 25 fourth grade students and teacher from Watson Elementary School, Hastings; 20 sixth grade Girl Scouts and sponsors from Guiding Star Girl Scout Council, Western; and Scott Danigole and daughter, Emily, from Omaha and Ray and Adam Schug from Renton, Washington.

RECESS

At 11:59 a.m., on a motion by Senator Brashear, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senator Price who was excused; and Senators Bohlke, Byars, Dierks, Engel, Kiel, Kristensen, Landis, Robak, and Schmitt who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 1021. Senator Brashear asked unanimous consent to replace his pending amendment, AM3347, found on page 1671, with a substitute amendment. No objections. So ordered.

Senator Brashear withdrew his amendment, AM3347, found on page 1671.

Senator Brashear offered the following substitute amendment to the Schimek-Wickersham pending amendment:
AM3365

(Amendments to AM3321)

1. On page 7, strike lines 15 through 19 and insert "industry or event to a public official, a member of a public official's staff, or a member of the immediate family of a public official shall".

2. On page 8, line 14, after "(3)" insert "For purposes of this section, public official does not include an elected or appointed official of a political subdivision or school board.

(4)".

The Brashear amendment was adopted with 29 ayes, 2 nays, 9 present and not voting, and 9 excused and not voting.

Senator Brashear offered the following amendment to the Schimek-Wickersham pending amendment:
AM3348

(Amendments to AM3321)

1. Strike section 3 and insert the following new section:

"Sec. 3. Section 49-1423, Reissue Revised Statutes of Nebraska, is amended to read:

49-1423. ~~With the exception of sections 49-1480 to 49-1492, gift as used in sections 49-1401 to 49-14,138~~ Gift shall mean a payment, subscription, advance, forbearance, rendering, or deposit of money, services, or anything of value, unless consideration of equal or greater value is given therefor. Gift shall not include a campaign contribution otherwise reported as required by law, a commercially reasonable loan made in the ordinary course of business, ~~or~~ a gift received ~~from a member of the individual's immediate family or~~ from a relative, a breakfast, luncheon, dinner, or other refreshments consisting of food and beverage provided for immediate consumption, or the occasional provision of transportation within the State of Nebraska to an officeholder.".

2. On page 6, strike beginning with "(3)" in line 13 through line 27 and show the old matter as stricken.

3. On page 7, strike line 1; in lines 2, 4, and 5 strike the old matter and show as stricken; in line 6 strike "(4)" and insert "(3)"; and in line 10 strike "(5)" and insert "(4)".

4. On page 10, strike beginning with the period in line 11 through the semicolon in line 12, show as stricken, and insert an underscored semicolon.

The Brashear amendment was adopted with 27 ayes, 2 nays, 13 present and not voting, and 7 excused and not voting.

Senator Brashear offered the following amendment to the Schimek-Wickersham pending amendment:
FA401
Amend AM3348
On page 1, lines 16 and 17, strike "to an officeholder".

The Brashear amendment was adopted with 29 ayes, 2 nays, 11 present and not voting, and 7 excused and not voting.

Senator Wickersham offered the following amendment to the Schimek-Wickersham pending amendment:

FA402
Amend AM3321
Pg. 2, line 7 after father insert father-in law. Pg. 2, line 7 after mother insert mother-in-law. Pg. 2, line 8 after grandfather insert grandfather-in-law. Pg. 2, line 8 after grandmother insert grandmother-in-law.

Senator Wickersham withdrew his amendment.

Senator Coordsen offered the following amendment to the Schimek-Wickersham pending amendment :
FA403
Amend AM3321
Delete Section 4 and insert "A relative shall mean any person related to one another by blood or marriage to the third degree of consequity, including, foster or step parent or children and adopted children and their adoptive parents".

The Coordsen amendment was adopted with 31 ayes, 1 nay, 13 present and not voting, and 4 excused and not voting.

The Schimek-Wickersham amendment, AM3321, as amended, was adopted with 32 ayes, 2 nays, 12 present and not voting, and 3 excused and not voting.

Senator Brashear withdrew his amendments, AM3287 and AM3319, found on pages 1624 and 1625.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1101. E & R amendment, AM7271, found on page 1638, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1101A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 972. E & R amendment, AM7274, printed separately and referred to on page 1638, was adopted.

Senator Bourne offered the following amendment:
AM3345

(Amendments to E & R amendments, AM7274)

1. On page 3, line 23, after "employees" insert "or contractor's staff" and strike "one-half" and insert "one-fourth"; and in line 25 after the period insert "Customer service staff responsible for providing account information related to the State Disbursement Unit may be located at the same location as the State Disbursement Unit.".

The Bourne amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Senator Beutler offered the following amendment:
AM3357
(Amendments to E & R amendments, AM7274)

1. On page 2, line 1, after "payments" insert ", balances, and arrearages"; in line 3 after the comma insert "of the balance of any amount of support order payments that are in arrears on the date the State Disbursement Unit becomes operative and"; in line 4 after "made" insert "after the date the unit becomes operative."; and in line 5 strike "and" and insert "Such evidence".

The Beutler amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 972A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1361. Senator Preister renewed his pending amendment, AM3233, found on page 1530.

The Preister amendment was adopted with 25 ayes, 0 nays, 22 present and not voting, and 2 excused and not voting.

Senator Bromm offered the following amendment:
(Amendment on file in the Clerk's Office - Room 2018 - AM3328)

The Bromm amendment was adopted with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1279. E & R amendment, AM7272, found on page 1638, was adopted.

Senator Wickersham withdrew his amendment, AM3301, found on page 1604.

Senators Wickersham and Beutler offered the following amendment:
AM3361

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 13-502, Reissue Revised Statutes of Nebraska, is amended to read:

13-502. (1) The purpose of the Nebraska Budget Act is to require governing bodies of this state to which the act applies to follow prescribed budget practices and procedures and make available to the public pertinent information pertaining to the financial requirements and expectations of such governing bodies so that intelligent and informed support, opposition, criticism, suggestions, or observations can be made by those affected.

(2) The act shall not apply to governing bodies which have a budget of less than five thousand dollars per year.

(3) The act shall not apply to proprietary functions of municipalities for which a separate budget has been approved by the city council or village board as provided in the Municipal Proprietary Function Act.

(4) The Nebraska Budget Act shall not apply to any governing body for any fiscal year in which the governing body will not have a property tax request or receive state aid as defined in section 13-518.

(5) The act shall not apply to any public power district or public power and irrigation district organized pursuant to Chapter 70, article 6, to any rural power district organized pursuant to Chapter 70, article 8, or to any agency created pursuant to sections 18-2426 to 18-2434.

Sec. 2. Section 77-3508, Revised Statutes Supplement, 1999, is amended to read:

77-3508. (1) All homesteads in this state shall be assessed for taxation the same as other property, except that there shall be exempt from taxation, on any homestead of (a) veterans as defined in section 80-401.01 who are totally disabled by a non-service-connected accident or illness, (b) individuals who have a permanent physical disability ~~or who~~ and have lost all mobility such as to preclude locomotion without the regular use of a mechanical aid or prostheses, and (c) individuals who have undergone amputation of both arms above the elbow or who have a permanent partial disability of both arms in excess of seventy-five percent, a percentage of the exempt amount as limited by section 77-3506.03. The exemption shall be based on the household income of a claimant pursuant to subsections (2) through (4) of this section. Application for such exemption shall include certification from a qualified medical physician for subdivisions (1)(a) through (c) of this section or certification from the United States Department of Veterans Affairs affirming that the homeowner is totally disabled due to non-service-connected accident or illness for subdivision (1)(a) of this section. Such certification from a qualified medical physician shall be made on forms prescribed by the Department of Revenue.

(2) For 2000, for a married or closely related claimant as described in subsection (1) of this section, the percentage of the exempt amount for which the claimant shall be eligible shall be the percentage in Column B which corresponds with the claimant's household income in Column A in the table found in this subsection.

Column A	Column B
Household Income	Percentage

In Dollars	Of Relief
0 through 24,700	100
24,701 through 25,900	85
25,901 through 27,100	70
27,101 through 28,300	55
28,301 through 29,500	40
29,501 through 30,700	25
30,701 and over	0

(3) For 2000, for a single claimant as described in subsection (1) of this section, the percentage of the exempt amount for which the claimant shall be eligible shall be the percentage in Column B which corresponds with the claimant's household income in Column A in the table found in this subsection.

Column A Household Income In Dollars	Column B Percentage Of Relief
0 through 21,600	100
21,601 through 22,600	85
22,601 through 23,600	70
23,601 through 24,600	55
24,601 through 25,600	40
25,601 through 26,600	25
26,601 and over	0

(4) For exemption applications filed in calendar year 2001 and each year thereafter, the income eligibility amounts in subsections (2) and (3) of this section shall be adjusted for inflation by the method provided in section 151 of the Internal Revenue Code. The income eligibility amounts shall be adjusted for cumulative inflation since 2000. If any amount is not a multiple of one hundred dollars, the amount shall be rounded to the next lower multiple of one hundred dollars.

Sec. 3. Sections 1, 3, 5, and 6 of this act become operative on July 1, 2000. The other sections of this act become operative on January 1, 2000.

Sec. 4. Original section 77-3508, Revised Statutes Supplement, 1999, is repealed.

Sec. 5. Original section 13-502, Reissue Revised Statutes of Nebraska, is repealed.

Sec. 6. Since an emergency exists, this act takes effect when passed and approved according to law.".

Senator Bourne offered the following amendment to the Wickersham-Beutler pending amendment:
FA404
Amend AM3361
On page 2 line 10, reinstate stricken matter and delete "and"

PRESIDENT MAURSTAD PRESIDING

Senator Kremer asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Bourne moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator Wickersham requested a roll call vote, in reverse order, on the Bourne amendment.

Voting in the affirmative, 18:

Aguilar
Bourne
Byars
Chambers
Connealy
Crosby
Hilgert
Kiel
Lynch
Pedersen, Dw.
Quandahl
Robak
Schimek
Schmitt
Smith
Suttle
Thompson
Tyson

Voting in the negative, 11:

Bromm
Bruning
Hartnett
Kristensen
Matzke
Raikes
Redfield
Stuhr
Vrtiska
Wehrbein
Wickersham

Present and not voting, 17:

Baker
Beutler
Bohlke
Brashear
Brown
Coordsen
Cudaback
Dickey
Dierks
Engel
Hudkins
Janssen
Jensen
Jones
Pederson, D.
Preister
Schrock

Excused and not voting, 3:

Kremer
Landis
Price

The Bourne amendment lost with 18 ayes, 11 nays, 17 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Bourne requested a roll call vote on the Wickersham-Beutler amendment, AM3361.

Voting in the affirmative, 27:

Baker
Beutler
Bromm
Bruning
Byars
Coordsen
Crosby
Dickey
Dierks
Hartnett
Hudkins
Janssen
Jensen
Jones
Kristensen
Matzke
Pedersen, Dw.
Pederson, D.
Raikes
Redfield
Schmitt
Schrock
Smith
Stuhr
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 8:

Aguilar Bourne Chambers Connealy Hilgert
Kiel Quandahl Suttle

Present and not voting, 11:

Bohlke Brashear Brown Cudaback Engel
Lynch Preister Robak Schimek Thompson
Tyson

Excused and not voting, 3:

Kremer Landis Price

The Wickersham-Beutler amendment was adopted with 27 ayes, 8 nays, 11 present and not voting, and 3 excused and not voting.

Senator Hilgert offered the following amendment:
AM3363

1. Insert the following new section:

"Section 1. Section 77-3504, Reissue Revised Statutes of Nebraska, is amended to read:

77-3504. Household income means the total federal adjusted gross income, as defined in the Internal Revenue Code, plus (1) any Nebraska adjustments increasing the total federal adjusted gross income, (2) any interest or dividends received by the owner regarding obligations of the State of Nebraska or any political subdivision, authority, commission, or instrumentality thereof to the extent excluded in the computation of gross income for federal income tax purposes, and (3) any social security or railroad retirement benefit to the extent excluded in the computation of gross income for federal income tax purposes, of the claimant and spouse, and any additional owners who are natural persons and who occupy the homestead, for the taxable year of the claimant immediately prior to the year for which the claim for exemption is made, less all medical expenses actually incurred and paid by the claimant, his or her spouse, or any owner-occupant which are in excess of four percent of household income calculated prior to the deduction for medical expenses. For purposes of this section, medical expenses means the costs of health insurance premiums and the costs of goods and services purchased from a person licensed under Chapter 71, article 1 or 47, or a facility licensed pursuant to Chapter 71, article 20, for purposes of restoring or maintaining health, including insulin and prescription medicine but not including nonprescription medicine. For purposes of this section, the amount of social security benefits received by a claimant as described in subdivision (1)(b) or (c) of section 77-3508 shall be reduced by the amount of social security benefits which the claimant received solely because of his or her disability in the last full year the claimant received social security disability benefits.".

2. Correct the operative date and repealer so that the section added by this amendment becomes operative on January 1, 2001.

3. Renumber the remaining sections accordingly.

Senator Hilgert moved for a call of the house. The motion prevailed with 14 ayes, 0 nays, and 35 not voting.

Senator Hilgert requested a roll call vote on his amendment.

Voting in the affirmative, 17:

Aguilar Bourne Chambers Connealy Crosby
Hilgert Kiel Lynch Pedersen, Dw. Preister
Quandahl Robak Schimek Smith Suttle
Thompson Tyson

Voting in the negative, 20:

Baker Beutler Bromm Brown Bruning
Byars Dickey Dierks Engel Jones
Kristensen Matzke Pederson, D. Raikes Redfield
Schrock Stuhr Vrtiska Wehrbein Wickersham

Present and not voting, 9:

Bohlke Brashear Coordsen Cudaback Hartnett
Hudkins Janssen Jensen Schmitt

Excused and not voting, 3:

Kremer Landis Price

The Hilgert amendment lost with 17 ayes, 20 nays, 9 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator Bourne moved to bracket LB 1279 until April 12, 2000.

Senator Bourne withdrew his motion to bracket.

Advanced to E & R for engrossment.

Senator Bohlke asked unanimous consent to be excused until she returns. No objections. So ordered.

LEGISLATIVE BILL 819. E & R amendment, AM7269, found on page 1636, was adopted.

Senator Jensen offered the following amendment:
AM3349

(Amendments to Standing Committee amendments, AM3133)

1. On page 4, line 21, strike "a" and insert "the"; and in line 22 strike "owned and operated by" and insert "of".
2. On page 7, line 5, after "to" insert "four or more".
3. On page 18, line 11, after the comma insert "or"; in line 12 strike the comma; and in line 13 strike "or other public officials".
4. On page 23, strike beginning with "When" in line 22 through the period in line 27 and insert "A copy of the notice in subsection (1) of this section shall also be mailed to the holder of the license if the holder of such license is not actually involved in the daily operation of the facility or service.".
5. On page 24, line 1, strike "also".
6. On page 107, strike beginning with "an" in line 10 through "Act" in line 12, show the old matter as stricken, and insert "health care facility as defined in section 13 of this act".

The Jensen amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 819A. Senator Jensen offered the following amendment:
AM3366

1. Strike the original section and insert the following new section:

"Section 1. There is hereby appropriated (1) $168,483 from the Department of Health and Human Services Regulation and Licensure Cash Fund for FY2000-01 and (2) $382,615 from the Department of Health and Human Services Regulation and Licensure Cash Fund for FY2001-02 to the Department of Health and Human Services Regulation and Licensure, for Program 177, to aid in carrying out the provisions of Legislative Bill 819, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $83,731 for FY2000-01 or $96,487 for FY2001-02.".

The Jensen amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1025. E & R amendment, AM7270, found on page 1637, was adopted.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 1025A. Advanced to E & R for engrossment.

LEGISLATIVE BILL 1116. E & R amendment, AM7273, printed separately and referred to on page 1637, was adopted.

Advanced to E & R for engrossment.

STANDING COMMITTEE REPORTS

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Nebraska Accountability and Disclosure Commission
  Napoleon Agonor
  Marilee Fredrickson
  Nancy Reckewey

VOTE: Aye: Senators Aguilar, Cudaback, Janssen, Quandahl, Schimek, Schmitt, Smith, and Vrtiska. Nay: None. Absent: None.

(Signed) DiAnna R. Schimek, Chairperson

Agriculture

The Agriculture Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Dry Bean Commission
  David Howell

VOTE: Aye: Senators Dickey, Dierks, Hilgert, Janssen, Schrock, and Vrtiska. Nay: None. Absent: Senator Cudaback. Present, Not Voting: Senator Chambers.

(Signed) Merton L. Dierks, Chairperson

RESOLUTIONS

LEGISLATIVE RESOLUTION 498. Introduced by Agriculture Committee: Dierks, 40, Chairperson; Cudaback, 36; Dickey, 18; Hilgert, 7; Janssen, 15; Schrock, 38; Vrtiska, 1.

PURPOSE: The purpose of this resolution is to examine issues associated with LB 1432, Ninety-sixth Legislature, Second Session. LB 1432 provided a procedure for the resolution of disputes involving the fairness of lease terms between agricultural tenants occupying land owned by railroads or their successors in interest. The study shall examine the implementation of similar laws in other states and seek information regarding the extent to which states may constitutionally intervene in such disputes and whether a compelling state interest exists in doing so.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Agriculture Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 499. Introduced by Chambers, 11.

WHEREAS, the Legislature in 1988 enacted LB 876 which mandated the convening of a grand jury when a person dies while being apprehended by or while in the custody of a law enforcement officer or detention personnel;

WHEREAS, the Legislature in 1999 enacted LB 72 which mandated the appointment of a special prosecutor when a person dies while being apprehended by or while in the custody of a law enforcement officer or detention personnel;

WHEREAS, the provisions of both enactments are found in section 29-1401;

WHEREAS, courts and judges throughout the state have complied with the provisions of both enactments since their respective effective dates;

WHEREAS, on January 10, 2000, Deuel County District Judge Brian C. Silverman entered an order (In The Matter of A Grand Jury for The District Court in And for Deuel County, Doc. 14, Page 266) finding the above-referenced provisions unconstitutional, as "constitut(ing) an unlawful delegation and exercise of executive powers in violation of Art. 11, section 1, of the Nebraska Constitution";

WHEREAS, the deadline to appeal Judge Silverman's decision was February 9, 2000;

WHEREAS, the Deuel County Attorney did not timely appeal Judge Silverman's decision;

WHEREAS, the Attorney General did not timely appeal Judge Silverman's decision despite having (a) concurrent authority with the county attorney to do so pursuant to section 84-204, and (b) the duty to appeal pursuant to the first sentence of subdivision (10) of section 84-205;

WHEREAS, Judge Silverman's decision does not have statewide effect nor is it binding on any other judge of equal or higher jurisdiction;

WHEREAS, as long as Judge Silverman's decision remains intact, the law relative to grand juries will not be complied with in a segment of the state;

WHEREAS, in order to maintain public confidence in the integrity of the law, enforcement must not be spotty nor based on the opinion of a single, lower-court judge;

WHEREAS, the Uniform Declaratory Judgments Act, sections 25-21,149 to 25-21,164, is the appropriate method to obtain judicial determination of a statute's validity (State ex rel. Spire v. Northwestern Bell Tel. Co., 233 Neb. 262 , 1989)

WHEREAS, section 25-2156 states "The writ of mandamus may be issued to any inferior tribunal . . . to compel the performance of an act which the law specifically enjoins as a duty resulting from an office, trust or station";

WHEREAS, the Attorney General is empowered to seek either a declaratory judgment or a writ of mandamus;

WHEREAS, section 84-205 is mandatory and provides: "The duties of the Attorney General shall be: . . . (10) When requested by the . . . Legislature, the Attorney General shall appear for the state and prosecute or defend any action . . . in which the state is interested or a party before any court . . . ";

WHEREAS, the state has an interest in the complete and uniform enforcement of statutes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. The Legislature hereby requests the Attorney General to commence immediately the process of preparing and filing the appropriate action in the appropriate court to (a) obtain compliance by Judge Silverman with section 29-1401 or (b) obtain a declaratory judgment to obtain judicial determination of the validity of section 29-1401.

Laid over.

LEGISLATIVE RESOLUTION 500. Introduced by Appropriations Committee: Wehrbein, 2, Chairperson; Beutler, 28; Brown, 6; Crosby, 29; Engel, 17; Kiel, 9; Matzke, 47; D. Pederson, 42.

PURPOSE: On January 10, 2000, the Legislative Program Evaluation Committee released the Nebraska Ethanol Board Final Report. The report found that a policy question exists relative to the role of the board. The question arises because the Legislature has adopted a policy of moving away from the direct incentives that were used initially to attract ethanol plants to the state. The board has shifted its focus as well and now concentrates on opening new markets and promoting ethanol. The committee believes that these changes signal a need for legislative discussion of the appropriate role of the board.

The purpose of this study is to determine whether the board's current emphasis on opening new markets and promoting ethanol is an effective use of state resources and to provide direction to the board, either in support of its current efforts or as a means of refocusing the board's role and responsibilities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Appropriations, Legislative Program Evaluation, and the Natural Resources Committees of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committees shall upon the conclusion of the study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

MOTION - Return LB 1213 to Select File

Senator Raikes moved to return LB 1213 to Select File for his specific amendment, AM3138, found on page 1464.

Senator Raikes withdrew his motion to return.

Senator Raikes moved to return LB 1213 for the following specific amendment:
AM3369

(Amendments to Final Reading copy)

1. Strike the original sections and all amendments thereto and insert the following new sections:

"Section 1. Section 79-1029, Revised Statutes Supplement, 1999, is amended to read:

79-1029. (1) A Class II, III, IV, V, or VI district may exceed the basic allowable growth rate prescribed in section 79-1025 upon an affirmative vote of at least seventy-five percent of the board. The total growth shall not exceed the applicable allowable growth percentage certified for the local system under section 79-1026 plus one percent. The vote shall be taken at a public meeting of the board following a special public hearing called for the purpose of receiving testimony on such proposed increase. The board shall give at least five calendar days' notice of such public hearing and shall publish such notice at least once in a newspaper of general circulation in the local system.

(2) A Class II, III, IV, V, or VI district may exceed the applicable allowable growth percentage prescribed in section 79-1026 by an amount approved by a majority of legal voters voting on the issue at a primary, general, or special election called for such purpose upon the recommendation of the board or upon the receipt by the county clerk or election commissioner of a petition requesting an election signed by at least five percent of the legal voters of the district. The recommendation of the board or the petition of the legal voters shall include the amount and percentage by which the board would increase its general fund budget of expenditures for the ensuing school year over and above the current year's general fund budget of expenditures. The county

clerk or election commissioner shall place the question on the primary or general election ballot or call for a special election on the issue ~~within fifteen days~~ after the receipt of such board recommendation or legal voter petition. The election shall be held pursuant to the Election Act or section 77-3444, and all costs for a special election shall be paid by the district. ~~The issue~~ A vote to exceed the applicable allowable growth percentage may be approved on the same question as a vote to exceed the levy limits provided in section 77-3444.

Sec. 2. Original section 79-1029, Revised Statutes Supplement, 1999, is repealed.".

2. On page 1, strike beginning with the second "to" in line 1 through line 13 and insert "to amend section 79-1029, Revised Statutes Supplement, 1999; to change provisions relating to growth rate override elections; and to repeal the original section.".

The Raikes motion to return prevailed with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

MOTION - Suspend Rules

Senator Raikes moved to suspend the rules, Rule 7, Section 3(d), to permit consideration of AM3369 to LB 1213.

The Raikes motion to suspend the rules prevailed with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1213. The Raikes specific amendment, AM3369, found in this day's Journal, was adopted with 31 ayes, 0 nays, 16 present and not voting, and 2 excused and not voting.

Advanced to E & R for reengrossment.

MOTION - Return LB 1213 to Select File

Senator Bohlke moved to return LB 1213 to Select File for the Bohlke et al. specific amendment, AM3234, printed separately and referred to on page 1497.

Senators Quandahl and Kiel asked unanimous consent to be excused until they return. No objections. So ordered.

Senator Bohlke withdrew her motion to return.

Senator Bohlke moved to return LB 1213 to Select File for the Bohlke et al. specific amendment, AM3318, printed separately and referred to on page 1618.

Senator Bohlke withdrew her motion to return.

WITHDRAW - Amendment to LB 1213

Senator Bromm withdrew his amendment, AM3340, found on page 1653, to LB 1213.

MOTION - Return LB 1213 to Select File

Senator Bromm moved to return LB 1213 to Select File for the following specific amendment:
AM3364

(Amendments to Final Reading copy)

1. Insert the following new section:

"Sec. 4. If the adjustment under section 79-1065 results in a district being entitled to the payment of additional funds, the district may apply to the department for a lump-sum payment for any amount up to one hundred percent of the adjustment. The department shall notify the Director of Administrative Services of the amount of funds to be paid in a lump sum and the reduced amount of the monthly payments pursuant to section 79-1022. The department shall make such payment in a lump sum not later than the last business day of September of the year in which the final determination under this section is made, except that when a school district is to receive a monthly payment of less than one thousand dollars, such payment shall be one lump-sum payment on the last business day of December during the ensuing school fiscal year.".

2. Renumber the remaining sections accordingly.

The Bromm motion to return prevailed with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1213. The Bromm specific amendment, AM3364, found in this day's Journal, was adopted with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

Advanced to E & R for reengrossment.

MOTION - Return LB 1213 to Select File

Senator Bohlke moved to return LB 1213 to Select File for her reoffered specific amendment, AM3234, printed separately and referred to on page 1497 and considered in this day's Journal.

Senator Hilgert asked unanimous consent to be excused until he returns. No objections. So ordered.

SPEAKER KRISTENSEN PRESIDING

Senator Bohlke withdrew her motion to return.

Senator Wehrbein moved to return LB 1213 to Select File for the following Wehrbein-Bohlke specific amendment:
(Amendment on file in the Clerk's Office - Room 2018 - AM3374.)

Senator Bruning asked unanimous consent to be excused until he returns. No objections. So ordered.

PRESIDENT MAURSTAD PRESIDING

Senator Jones moved the previous question. The question is, "Shall the debate now close?"

Senator Jones requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 27:

Aguilar
Baker
Bohlke
Bromm
Byars
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hudkins
Janssen
Jones
Kremer
Kristensen
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Redfield
Schmitt
Schrock
Smith
Stuhr
Vrtiska
Wehrbein

Voting in the negative, 16:

Beutler
Bourne
Brashear
Brown
Chambers
Connealy
Hilgert
Jensen
Preister
Raikes
Robak
Schimek
Suttle
Thompson
Tyson
Wickersham

Present and not voting, 1:

Hartnett

Excused and not voting, 5:

Bruning
Kiel
Landis
Price
Quandahl

The motion to cease debate prevailed with 27 ayes, 16 nays, 1 present and not voting, and 5 excused and not voting.

The Wehrbein motion to return failed with 22 ayes, 21 nays, 1 present and not voting, and 5 excused and not voting.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Engrossed

The following bills were correctly engrossed: LBs 819, 819A, 972, 972A, 1021, 1025, 1025A, 1101, 1101A, 1116, 1279, and 1361.

Enrollment and Review Change to LB 819

The following changes, required to be reported for publication in the Journal, have been made:
ER9169
1. In the Jensen amendment, AM3349, on page 1, line 15, "a" has been inserted before "health".
2. In the E & R amendments, AM7269, on page 1, line 19, "18" has been struck and "8" inserted.
3. In the Jensen amendment, AM3242, on page 1, the matter beginning with "strike" in line 14 through line 15 has been struck and "after '24' insert 'or 29'." inserted; and the matter beginning with "strike" in line 17 through the semicolon in line 18 has been struck and "after '24' insert 'or 29';" inserted.
4. In the Standing Committee amendment, AM3133:
a. On page 9, line 26, an underscored comma has been inserted after "Act";
b. On page 24, line 8, "applicant or" has been inserted before the first "licensee"; and in line 27 "a licensee" and all amendments thereto have been struck and "an applicant or a licensee" inserted;
c. On page 39, line 4, "subdivision" has been struck, shown as stricken, and "subsection" inserted;
d. On page 80, line 23, the new matter has been struck;
e. On page 98, lines 6, 15, 19, and 24, "hospital or" has been struck and shown as stricken; and in lines 6, 15, 19, and 25 "or hospital" has been inserted after "center";
f. On page 102, line 24, "in" has been inserted before "sections";
g. On page 106, line 17, "or her" has been inserted after "his"; and in line 22 an underscored comma has been inserted after "Act";
h. On page 108, line 18, "the" has been inserted after "from";
i. On page 117, line 1, "or hospital" has been inserted after "facility";
j. On page 120, line 7, "to" has been inserted after "furnished"; and
k. On page 128, line 25, "an" has been inserted before "intermediate".

Enrollment and Review Change to LB 972

The following changes, required to be reported for publication in the Journal, have been made:
ER9172
1. In the E & R amendment, AM7274, on page 2, line 27, an underscored comma has been inserted after "that".

Enrollment and Review Change to LB 972A

The following changes, required to be reported for publication in the Journal, have been made:
ER9171

1. In the Brown amendment, AM3120, on page 2, line 5, "and" has been struck.

Enrollment and Review Change to LB 1021

The following changes, required to be reported for publication in the Journal, have been made:
ER9173

1. In lieu of the Coordsen amendment, FA403, in the Schimek et al. amendment, AM3321, section 4 has been struck and the following new section inserted:

"Sec. 4. Relative shall mean any person related to another by blood or marriage to the third degree of consanguinity, including a foster parent, foster child, stepparent, stepchild, and adopted children and their adoptive parents.".

2. In the E & R amendments, AM7267, on page 9, line 25, "49-1403, 49-1423," has been inserted before "49-1483"; and in line 27 "to define and redefine terms;" has been inserted after the semicolon.

Enrollment and Review Change to LB 1279

The following changes, required to be reported for publication in the Journal, have been made:
ER9165

1. On page 1, the matter beginning with "budgets" in line 1 through line 9 has been struck and "revenue and taxation; to amend section 13-502, Reissue Revised Statutes of Nebraska, and section 77-3508, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Budget Act and homestead exemptions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

Enrollment and Review Change to LB 1361

The following changes, required to be reported for publication in the Journal, have been made:
ER9174

1. In the Bromm amendment, AM3328:

a. Sections have been renumbered to incorporate the Preister amendment;

b. On page 2, lines 26 and 27, "Reissue Revised Statutes of Nebraska" has been struck and "Revised Statutes Supplement, 1999" inserted; and

c. On page 24, line 6, "60-680," has been inserted after the first comma; in line 7 "60-6,288," has been struck; and in line 8 "75-363" has been struck and "60-6,288, 75-363," inserted.

2. In the Preister amendment, AM3233, amendment 2 has been struck.

3. On page 1, the matter beginning with "motor" in line 1 through line 4 has been struck and "transportation; to amend sections 60-625, 60-680, 60-6,133, 60-6,232, 60-6,289, 60-6,290, 60-6,294, 60-6,298, and 60-6,301, Reissue Revised Statutes of Nebraska, and sections 60-6,288, 75-363, and 75-364, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Rules of the Road, motor carrier safety regulations, and hazardous material regulations; to prohibit the use of engine brakes and change passing requirements as prescribed; to change and eliminate size, weight, and length limitations, overload exceptions, and permit provisions; to define a term; to change effective dates; to harmonize provisions; and to repeal the original sections." inserted.

(Signed) Adrian M. Smith, Chairperson

EASE

The Legislature was at ease from 7:45 p.m. until 7:47 p.m.

MOTION - Return LB 1213 to Select File

Senator Brashear moved to return LB 1213 to Select File for the following specific amendment:
FA405
Add the following new sections

Section 79-1072.02, Revised Statutes Supplement, 1999, is amended to read:

79-1072.02. The Hardship Fund is created. Money in the fund shall be distributed to school districts pursuant to section 79-1072.03 or may be transferred to the General Fund at the direction of the Legislature. The fund shall consist of funds appropriated by the Legislature and funds repaid and interest paid by districts as required by section 79-1072.03. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

On July 1, 2000, or as soon as possible thereafter the State Treasurer shall transfer $2,865,000 from the Hardship Fund to the General Fund.

Pending.

MOTION - Adjournment

Senator Jensen moved to adjourn until 9:00 a.m., Tuesday, April 11, 2000.

Senator Chambers moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 26 not voting.

Pending.

MOTION - Recess

Senator Chambers moved to recess until 8:15 p.m., April 10, 2000.

The Chambers motion to recess failed with 8 ayes, 22 nays, 14 present and not voting, and 5 excused and not voting.

MOTION - Adjournment

The Jensen pending motion, found in this day's Journal, to adjourn until 9:00 a.m., Tuesday, April 11, 2000, was renewed.

Senator Chambers requested a roll call vote on the Jensen motion to adjourn.

Voting in the affirmative, 7:

Aguilar	Bohlke	Coordsen	Dierks	Jensen
Jones	Matzke			

Voting in the negative, 27:

Baker	Brashear	Bromm	Byars	Chambers
Connealy	Crosby	Cudaback	Engel	Hudkins
Janssen	Kremer	Lynch	Pedersen, Dw.	Pederson, D.
Preister	Raikes	Redfield	Robak	Schimek
Schrock	Smith	Suttle	Thompson	Vrtiska
Wehrbein	Wickersham			

Present and not voting, 10:

Beutler	Bourne	Brown	Dickey	Hartnett
Hilgert	Kristensen	Schmitt	Stuhr	Tyson

Excused and not voting, 5:

Bruning	Kiel	Landis	Price	Quandahl

The Jensen motion to adjourn failed with 7 ayes, 27 nays, 10 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

MOTION - Return LB 1213 to Select File

Senator Brashear renewed his pending motion, found in this day's Journal, to return LB 1213 to Select File for his specific amendment, FA405, found in this day's Journal.

Senator Bohlke asked unanimous consent to bracket LB 1213 until April 12, 2000.

Senator Chambers objected.

Senator Bohlke moved to bracket LB 1213 until April 12, 2000.

Senator Bohlke moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 3 nays, and 20 not voting.

The Bohlke motion to bracket prevailed with 26 ayes, 13 nays, 5 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 659. Senator Lynch renewed the Lynch-Janssen pending amendment, AM3206, printed separately and referred to on page 1475 and considered on page 1603.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Lynch moved for a call of the house. The motion prevailed with 28 ayes, 0 nays, and 21 not voting.

Senator Lynch requested a roll call vote on the Lynch-Janssen amendment.

Voting in the affirmative, 18:

Aguilar Beutler Bohlke Bourne Bromm
Byars Connealy Crosby Cudaback Janssen
Kristensen Lynch Robak Schmitt Schrock
Smith Thompson Wickersham

Voting in the negative, 22:

Baker Brashear Brown Chambers Coordsen
Dickey Dierks Engel Hudkins Jensen
Jones Kremer Matzke Pederson, D. Preister
Raikes Redfield Stuhr Suttle Tyson
Vrtiska Wehrbein

Present and not voting, 4:

Hartnett Hilgert Pedersen, Dw. Schimek

Excused and not voting, 5:

Bruning Kiel Landis Price Quandahl

The Lynch-Janssen amendment lost with 18 ayes, 22 nays, 4 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Smith offered the following amendment:
(Amendment on file in the Clerk's Office - Room 2018 - AM3362)

Senator Preister asked unanimous consent to be excused. No objections. So ordered.

Senator Dw. Pedersen requested a record vote on the Smith amendment.

Voting in the affirmative, 33:

Aguilar
Baker
Bohlke
Bourne
Brashear
Brown
Byars
Chambers
Coordsen
Crosby
Cudaback
Dickey
Dierks
Hartnett
Hilgert
Hudkins
Jensen
Jones
Kremer
Kristensen
Lynch
Matzke
Raikes
Redfield
Schimek
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein

Voting in the negative, 1:

Robak

Present and not voting, 9:

Beutler
Bromm
Connealy
Engel
Janssen
Pedersen, Dw.
Pederson, D.
Schmitt
Wickersham

Excused and not voting, 6:

Bruning
Kiel
Landis
Preister
Price
Quandahl

The Smith amendment was adopted with 33 ayes, 1 nay, 9 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

LEGISLATIVE BILL 659A. Senator Smith withdrew his amendment, AM2743, found on page 998.

Senator Smith offered the following amendment:
AM3373
1. Strike section 1 and insert the following new sections:

"Section 1. There is hereby appropriated (1) $57,743 from the Compulsive Gamblers Assistance Fund for FY2000-01 and (2) $57,743 from the Compulsive Gamblers Assistance Fund for FY2001-02 to the Department of Health and Human Services, for Program 33, to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

Total expenditures for permanent and temporary salaries and per diems from funds appropriated in this section shall not exceed $34,631 for FY2000-01 or $36,637 for FY2001-02.

Sec. 2. There is hereby appropriated (1) $760,257 from the Compulsive Gamblers Assistance Fund for FY2000-01 and (2) $754,257 from the Compulsive Gamblers Assistance Fund for FY2001-02 to the Department of Health and Human Services Finance and Support, for Program 34, to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

No expenditures for permanent and temporary salaries and per diems for state employees shall be made from funds appropriated in this section.".

The Smith amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Advanced to E & R for engrossment.

WITHDRAW - Amendment to LB 1107A

Senator Wickersham withdrew his amendment, AM3286, found on page 1587, to LB 1107A.

UNANIMOUS CONSENT - Members Excused

Senators Robak, Hilgert, and Bourne asked unanimous consent to be excused. No objections. So ordered.

MOTION - Return LB 1107A to Select File

Senator Wickersham moved to return LB 1107A to Select File for the following Wickersham-Hartnett specific amendment:
AM3367

(Amendments to Final Reading copy)

1. Strike the original section and insert the following new sections:

"Section 1. Section 71-1590, Revised Statutes Supplement, 1999, is amended to read:

71-1590. (1) The real and personal property of a local housing agency and any wholly owned controlled affiliate thereof used solely (a) for the administrative offices of the housing agency or wholly owned controlled affiliate thereof, (b) to provide housing for persons of eligible income and qualifying tenants, and (c) for appurtenances related to such housing shall be exempt from all taxes and special assessments of any city, any county, the state, or any public agency thereof, including without limitation any special taxing district or similar political subdivision. All other real and personal property of the housing agency or wholly owned controlled affiliate thereof shall be deemed to not be used for a public purpose for purposes of section 77-202 and shall be taxable as provided in sections 77-201 and 77-202.11. Property owned jointly by a housing agency or its wholly owned controlled affiliates with other nongovernmental persons or entities shall be exempt from such taxes and assessments to the extent of the ownership interest which the housing agency and its wholly owned controlled affiliates hold in the property and to the extent the property is used solely to provide housing for persons of eligible income and qualifying tenants. Nothing in this section shall be deemed to preclude a housing agency and its wholly owned controlled affiliates from entering into an agreement for the payment of all or any portion of any special assessments which might otherwise be assessed except for the exemption created by this section.

(2) A housing agency may agree to make payments in lieu of all taxes or special assessments to the county within whose territorial jurisdiction any development of such housing agency or its controlled affiliates is located, for improvements, services, and facilities furnished by the city, county, or other public agencies, for the benefit of such development. Nothing contained in this section shall be deemed to require such an agreement by a local housing agency, and in no event shall the amounts payable by the housing agency exceed the amounts which, except for the exemption provided in this section, would otherwise be payable under regular taxes and special assessments for similar properties referred to in subsection (1) of this section. All payments in lieu of taxes made by any such housing agency shall be distributed by the county to all public agencies in such proportion that each public agency shall receive from the total payment the same proportion as its property tax rate bears to the total property tax which would be levied by each public agency against property of the housing agency if the same were not exempt from taxation.

(3) The property of Indian housing authorities created under Indian law shall be exempt from all taxes and special assessments of the state or any city, village, or public agency thereof. In lieu of such taxes or special assessments, an Indian housing authority may agree to make payments to any city, village, or public agency for improvements, services, or facilities furnished by such city, village, or public agency for the benefit of a housing project owned by the housing authority, but in no event shall such payments exceed the estimated cost to such city, village, or public agency of the improvements, services, or facilities to be so furnished. All payments made by any such

housing authority in lieu of taxes, whether such payments are contractually stipulated or gratuitous voluntary payments, shall be distributed among the cities, villages, or public agencies within which the housing project is located, in such proportion that each city, village, or public agency shall receive from the total payment the same proportion as its ad valorem tax rate bears to the total ad valorem tax rate which would be levied by each city, village, or public agency against the properties of the Indian housing authority if the same were not exempt from taxation. For purposes of this section, (a) Indian housing authority means an entity that is authorized by federal law to engage or assist in the development or operation of low-income housing for Indians and which is established by the exercise of the power of self-government of an Indian tribe and (b) Indian law means the code of an Indian tribe recognized as eligible for services provided to Indians by the United States Secretary of the Interior.

Sec. 2. Original section 71-1590, Revised Statutes Supplement, 1999, is repealed.".

The Wickersham motion to return prevailed with 29 ayes, 1 nay, 11 present and not voting, and 8 excused and not voting.

MOTION - Suspend Rules

Senator Wickersham moved to suspend the rules, Rule 7, Section 3(d), to permit consideration of AM3367, to LB 1107A.

The Wickersham motion to suspend the rules prevailed with 31 ayes, 1 nay, 9 present and not voting, and 8 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1107A. The Wickersham-Hartnett specific amendment, AM3367, found in this day's Journal, was adopted with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Advanced to E & R for reengrossment.

EASE

The Legislature was at ease from 9:40 p.m. until 9:51 p.m.

SELECT COMMITTEE REPORTS
Enrollment and Review

Correctly Reengrossed

The following bills were correctly reengrossed: LBs 1107A and 1213.

Correctly Engrossed

The following bills were correctly engrossed: LBs 659 and 659A.

Enrollment and Review Change to LB 659

The following changes, required to be reported for publication in the Journal, have been made:

ER9168

1. On page 1, the matter beginning with "the" in line 1 through line 9 and all amendments thereto have been struck and "gambling; to amend sections 9-1,101, 83-162.04, and 83-162.06, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Supplement, 1999; to change provisions relating to the Compulsive Gamblers Assistance Fund; to provide for transfers; to provide duties; to harmonize provisions; and to repeal the original sections." inserted.

Enrollment and Review Change to LB 1107A
(Final Reading Copy)

The following changes, required to be reported for publication in the Journal, have been made:

ER9167

1. On page 1, the matter beginning with "appropriations" in line 1 through line 3 has been struck and "the Nebraska Housing Agency Act; to amend section 71-1590, Revised Statutes Supplement, 1999; to authorize in lieu of tax payments for Indian housing authorities as prescribed; to define terms; to provide powers; and to repeal the original section." inserted.

Enrollment and Review Change to LB 1213
(Final Reading copy)

The following changes, required to be reported for publication in the Journal, have been made:

ER9175

1. Changes have been made as necessary to incorporate all adopted amendments.

(Signed) Adrian M. Smith, Chairperson

VISITORS

Visitors to the Chamber were 35 fifth grade students and teachers from Doniphan Elementary School; 30 fifth and sixth grade students and teacher from Platte Center Elementary School; 60 fourth, fifth, and sixth grade students and sponsors from Silver Lake School, Bladen; 30 fourth grade students and teachers from Shelton Public Schools; 40 fifth through eighth grade students and teachers from Boone County Rural Schools, Albion; 20 fifth through eighth grade students and teachers from Lisco Public School;

and 45 fifth grade students and teacher from Creighton Elementary School.

ADJOURNMENT

At 9:51 p.m., on a motion by Senator Dierks, the Legislature adjourned until 9:00 a.m., Tuesday, April 11, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

FIFTY-NINTH DAY - APRIL 11, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

FIFTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 11, 2000

PRAYER

The prayer was offered by Reverend Scott Evans, United Methodist Church of Christ, Wisner, Nebraska.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Bohlke, Bourne, Brashear, Brown, and Kiel who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

Page 1661, line 21, strike "offered the following" and insert "renewed their". The Journal for the fifty-eighth day was approved as corrected.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 490, 491, 492, and 493 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 490, 491, 492, and 493.

RESOLUTION

LEGISLATIVE RESOLUTION 367. Read. Considered.

LR 367 was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

MOTION - Return LB 26 to Select File

Senator Bromm moved to return LB 26 to Select File for the following specific amendment:
FA406
Strike the enacting clause.

Senator Bromm withdrew his motion to return.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 26.

A BILL FOR AN ACT relating to schools; to state intent; to provide for reimbursement for public school breakfast programs; and to provide for rules and regulations.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 36:

Aguilar Brashear Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Kiel Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Robak Schimek Schmitt
Schrock Smith Suttle Thompson Vrtiska
Wickersham

Voting in the negative, 7:

Baker Bromm Jones Kremer Raikes
Redfield Tyson

Present and not voting, 4:

Beutler Brown Stuhr Wehrbein

Excused and not voting, 2:

Bohlke Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 26A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 26, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Suttle
Thompson
Vrtiska
Wickersham

Voting in the negative, 2:

Redfield
Tyson

Present and not voting, 5:

Baker
Beutler
Jones
Stuhr
Wehrbein

Excused and not voting, 2:

Bohlke
Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 349.

A BILL FOR AN ACT relating to counties; to amend sections 22-112 and 22-171, Reissue Revised Statutes of Nebraska; to change the boundary line between the counties of Butler and Platte; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy

Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Robak

Excused and not voting, 2:

Bohlke Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 495. With Emergency.

A BILL FOR AN ACT relating to education; to adopt the Education and Career Preparation Act; to create a task force; to provide a termination date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Brashear
Bromm Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Hudkins Janssen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 4:

Brown Jensen Robak Tyson

Excused and not voting, 1:

Bourne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 495A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 495, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Bruning	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hartnett	Hudkins	Janssen	Jensen
Jones	Kiel	Kremer	Kristensen	Landis
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Preister
Price	Quandahl	Raikes	Schimek	Schmitt
Schrock	Smith	Stuhr	Suttle	Thompson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Present and not voting, 5:

Brown	Hilgert	Redfield	Robak	Tyson

Excused and not voting, 1:

Bourne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 825. With Emergency.

A BILL FOR AN ACT relating to animals; to adopt the Commercial Dog and Cat Operator Inspection Act; to provide an operative date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to

procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Brashear	Bromm
Bruning	Byars	Chambers	Connealy	Coordsen
Crosby	Cudaback	Dickey	Dierks	Engel
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Jones	Kiel	Kristensen	Landis	Lynch
Matzke	Pedersen, Dw.	Preister	Price	Quandahl
Raikes	Redfield	Robak	Schimek	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Present and not voting, 5:

Bohlke	Brown	Kremer	Pederson, D.	Schmitt

Excused and not voting, 1:

Bourne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 825A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 825, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Bruning	Byars	Chambers	Connealy
Coordsen	Crosby	Cudaback	Dickey	Dierks
Engel	Hartnett	Hilgert	Hudkins	Janssen
Jensen	Jones	Kiel	Kremer	Kristensen
Landis	Matzke	Pedersen, Dw.	Preister	Price
Quandahl	Raikes	Redfield	Robak	Schimek
Schrock	Smith	Stuhr	Suttle	Thompson
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 0.

Present and not voting, 4:

Brown
Lynch
Pederson, D.
Schmitt

Excused and not voting, 1:

Bourne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 901.

A BILL FOR AN ACT relating to public utilities; to amend sections 46-154, 70-609, 70-624.02, 70-624.03, 70-1001, 70-1003, and 70-1023, Reissue Revised Statutes of Nebraska, and section 11-201, Revised Statutes Supplement, 1998; to change provisions relating to the Nebraska Power Review Board and public utility districts and boards of directors; to provide intent; to define terms; to provide powers and duties; to eliminate a bond requirement; to harmonize provisions; to repeal the original sections; and to outright repeal section 70-617, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Quandahl

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 901A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 901, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Raikes
Redfield
Robak
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 4:

Preister
Price
Quandahl
Schimek

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 956.

A BILL FOR AN ACT relating to state constitutional officers; to amend sections 75-104, 84-101.01, 84-201.01, and 84-721, Reissue Revised Statutes of Nebraska; to change the salaries of the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and members of the Public Service Commission; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Brashear
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Cudaback Dickey Dierks
Engel Hartnett Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Robak
Schimek Schrock Smith Stuhr Suttle
Thompson Tyson Wehrbein Wickersham

Voting in the negative, 1:

Crosby

Present and not voting, 3:

Hilgert Schmitt Vrtiska

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1003 with 39 ayes, 2 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1003.

A BILL FOR AN ACT relating to education; to amend section 77-2716, Revised Statutes Supplement, 1998; to establish an education savings plan; to create funds; to provide for administration of the plan; to harmonize provisions; to provide operative dates; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Bohlke Brashear Bromm
Brown Bruning Byars Chambers Connealy

Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Beutler
Redfield

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1003A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1003, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar
Baker
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Beutler Redfield Robak

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1004 with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1004.

A BILL FOR AN ACT relating to driving under the influence; to amend sections 60-6,196 and 60-6,197, Revised Statutes Supplement, 1999; to recognize certain out-of-state convictions for purposes of assessing penalties; to change penalty provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar Baker Beutler Bohlke Brashear
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kiel Kremer
Kristensen Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Preister Price Quandahl Raikes
Redfield Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Tyson Vrtiska
Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Robak

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1008. With Emergency.

A BILL FOR AN ACT relating to the criminal justice system; to amend sections 29-2261, 29-2521.02, and 81-1425, Reissue Revised Statutes of Nebraska, and Laws 1999, LB 76A, section 1; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to appropriate and reappropriate funds; to authorize access to and judicial notice of certain reports; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 48:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 1:

Bourne

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1008A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1008, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Brown	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 1:

Robak

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Senator Brashear asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1010.

A BILL FOR AN ACT relating to educational land; to amend sections 72-240.26, 72-257, 72-258, and 72-258.02, Reissue Revised Statutes of Nebraska; to define a term; to change procedures relating to appraisal and sale of land; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 29:

Aguilar	Baker	Bromm	Bruning	Byars
Coordsen	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Lynch	Matzke	Pedersen, Dw.	Pederson, D.	Quandahl
Raikes	Redfield	Schmitt	Smith	Stuhr
Tyson	Vrtiska	Wehrbein	Wickersham	

Voting in the negative, 15:

Beutler	Bohlke	Chambers	Connealy	Crosby
Cudaback	Dierks	Kristensen	Landis	Preister
Price	Robak	Schimek	Suttle	Thompson

Present and not voting, 3:

Brown	Dickey	Schrock

Excused and not voting, 2:

Bourne	Brashear

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Senator Connealy asked unanimous consent to be excused until he returns. No objections. So ordered.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1067 with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1067. With Emergency.

A BILL FOR AN ACT relating to motor fuel; to amend sections 66-485, 66-487, 66-488, 66-491, 66-492, 66-4,114, 66-4,147, 66-525, 66-527, 66-651, 66-654, 66-667, 66-673, 66-674, 66-675, 66-684, 66-694, 66-698, 66-6,110, 66-6,115, 66-719, 66-722, 66-723, and 66-727, Reissue Revised Statutes of Nebraska, and sections 66-4,141, 66-4,142, 66-4,144, 66-681, 66-718, and 66-1521, Revised Statutes Supplement, 1998; to change provisions relating to exporters, permits, licenses, penalties, and filings; to define and redefine terms; to change the manner of setting variable fuel tax rates; to eliminate the State Tax Board, obsolete provisions, and provisions relating to tax collection; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 66-493, 66-4,115, 66-691.01, 66-696, and 66-730, Reissue Revised Statutes of Nebraska, and sections 77-501, 77-502, and 77-503, Revised Statutes Supplement, 1998; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bohlke
Bromm
Brown
Bruning
Byars
Chambers
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Kiel
Quandahl

Excused and not voting, 3:

Bourne
Brashear
Connealy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senators Brown and D. Pederson asked unanimous consent to be excused until they return. No objections. So ordered.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1086 with 38 ayes, 2 nays, 4 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1086.

A BILL FOR AN ACT relating to bingo and other gambling; to amend sections 2-219, 9-1,104, 9-204.01, 9-226, 9-232.02, 9-232.03, 9-233, 9-241.03, 9-255.06, 9-322, 9-328, 9-329, 9-329.02, 9-345.01, 9-345.03, 9-418, 9-425, 9-426, 9-501, 9-507, 9-509, and 9-620, Reissue Revised Statutes of Nebraska; to provide for biennial licenses and fees; to change provisions relating to state, district, and county fairs, fingerprinting requirements, bingo cards, pickle cards, limited period bingo, and lotteries and raffles; to change and provide powers and duties; to redefine terms; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Bruning
Byars
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 4:

Bourne
Brown
Connealy
Pederson, D.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1167 with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1167. With Emergency.

A BILL FOR AN ACT relating to juveniles; to amend sections 43-245, 43-250, 43-253, 43-254, 43-259, 43-265, 43-272, 43-276, 43-286, 43-2,129, 43-2401 to 43-2406, 43-2408, 43-2409, 43-2411 to 43-2413, and 83-4,125, Reissue Revised Statutes of Nebraska; to adopt the Nebraska County Juvenile Services Plan Act; to create the Juvenile Diversion, Detention, and Probation Services Implementation Team; to provide duties; to provide a termination date; to change provisions relating to the Nebraska Juvenile Code; to adopt the Court Appointed Special Advocate Act; to change and eliminate provisions relating to the Juvenile Services Act; to define and redefine terms; to eliminate the Juvenile Services Grant Committee; to establish the Nebraska Coalition for Juvenile Justice; to provide powers and duties; to eliminate an obsolete provision; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 43-2407, 43-2410, and 43-2414, Reissue Revised Statutes of

Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 42:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Bruning	Byars	Coordsen	Crosby
Cudaback	Dickey	Engel	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Jones	Kiel
Kremer	Kristensen	Landis	Lynch	Matzke
Pedersen, Dw.	Preister	Price	Quandahl	Redfield
Robak	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 3:

Chambers	Dierks	Raikes

Excused and not voting, 4:

Bourne	Brown	Connealy	Pederson, D.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Senator Hilgert asked unanimous consent to be excused until he returns. No objections. So ordered.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1167A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1167, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 41:

Aguilar	Baker	Beutler	Bohlke	Brashear

Bromm
Bruning
Byars
Coordsen
Crosby
Cudaback
Dickey
Engel
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Chambers
Dierks
Raikes

Excused and not voting, 5:

Bourne
Brown
Connealy
Hilgert
Pederson, D.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1200.

A BILL FOR AN ACT relating to retirement; to amend sections 23-2310.04, 23-2319.01, 84-1310.01, 84-1311.03, 84-1314, and 84-1321.01, Reissue Revised Statutes of Nebraska, and sections 23-2309.01 and 23-2310.05, Revised Statutes Supplement, 1999; to change provisions relating to forfeitures, administrative expenses, and the crediting of funds; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar
Baker
Beutler
Bohlke
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 3:

Bourne Connealy Hilgert

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1221 with 38 ayes, 1 nay, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1221. With Emergency.

A BILL FOR AN ACT relating to workers' compensation; to amend sections 44-5016, 48-118, 48-122.01, 48-124, 48-128, 48-144.04, 48-155, 48-162.02, 48-174, 48-179, 48-195, 48-196, and 48-1,107, Reissue Revised Statutes of Nebraska, and sections 48-120.02, 48-145, 48-145.04, and 48-162.01, Revised Statutes Supplement, 1999; to create, eliminate, and transfer funds; to change provisions relating to age of dependency, service of process, review, certification of managed care plans, and self-insurers; to eliminate certain duties of the Nebraska Workers' Compensation Court; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 45:

Aguilar
Bromm
Crosby
Hartnett
Jones
Lynch
Quandahl
Schmitt
Thompson
Baker
Brown
Cudaback
Hilgert
Kiel
Matzke
Raikes
Schrock
Tyson
Beutler
Bruning
Dickey
Hudkins
Kremer
Pedersen, Dw.
Redfield
Smith
Vrtiska
Bohlke
Chambers
Dierks
Janssen
Kristensen
Pederson, D.
Robak
Stuhr
Wehrbein
Brashear
Coordsen
Engel
Jensen
Landis
Preister
Schimek
Suttle
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Byars Price

Excused and not voting, 2:

Bourne	Connealy

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1234 with 41 ayes, 1 nay, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1234.

A BILL FOR AN ACT relating to the environment; to amend sections 23-373, 76-2,112, 81-1532, 81-15,152, and 81-15,153, Reissue Revised Statutes of Nebraska, section 19-902, Revised Statutes Supplement, 1998, and section 23-114, Revised Statutes Supplement, 1999; to state intent; to define terms; to create the Niobrara Council; to provide powers and duties; to create a fund; to provide for grants for wastewater treatment facilities; to create the Ethanol Pricing Task Force; to provide duties and a termination date; to prohibit the sale of methyl tertiary butyl ether as prescribed; to provide for a study and findings relating to water quality monitoring; to eliminate provisions relating to the Niobrara River and wastewater treatment facility funds; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal section 81-1533, Reissue Revised Statutes of Nebraska, and sections 72-2001 to 72-2004, Revised Statutes Supplement, 1998.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Brown	Bruning	Byars	Chambers
Coordsen	Crosby	Cudaback	Dickey	Engel
Hartnett	Hilgert	Hudkins	Janssen	Jensen
Kiel	Kremer	Kristensen	Landis	Lynch
Matzke	Pedersen, Dw.	Pederson, D.	Preister	Quandahl
Raikes	Redfield	Schimek	Schmitt	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 4:

Connealy Dierks Price Robak

Present and not voting, 1:

Jones

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Senator Brown asked unanimous consent to be excused until she returns. No objections. So ordered.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1234A.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, section 134; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1234, Ninety-sixth Legislature, Second Session, 2000; to change appropriations; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar Baker Beutler Bohlke Brashear
Bromm Bruning Byars Chambers Connealy
Coordsen Crosby Cudaback Dickey Engel
Hartnett Hilgert Hudkins Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Preister
Price Quandahl Raikes Redfield Schimek
Schmitt Schrock Smith Stuhr Suttle
Thompson Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Dierks Robak

Excused and not voting, 2:

Bourne Brown

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1251.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1784, Reissue Revised Statutes of Nebraska; to require electronic payment of taxes as prescribed; to provide a penalty; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Beutler Bohlke Brashear
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Robak Schimek Schmitt Schrock Smith
Stuhr Suttle Thompson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Jones Tyson

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1304.

A BILL FOR AN ACT relating to the Auditor of Public Accounts; to amend section 84-304, Reissue Revised Statutes of Nebraska; to change provisions relating to examinations of fire protection districts; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Brashear
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Bromm
Kristensen
Thompson

Excused and not voting, 1:

Bourne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Senator Robak asked unanimous consent to be excused until she returns. No objections. So ordered.

RESOLUTION ON FINAL READING

The following resolution was read and put upon final passage:

LEGISLATIVE RESOLUTION 6CA.

THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2000 the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article III, section 9:

III-9 "No person holding office under the authority of the United States, or any lucrative office under the authority of this state, shall be eligible to~~,~~ or have a seat in the Legislature. No person elected or appointed to the Legislature shall receive any civil appointment to a state office while holding membership in the Legislature or while the Legislature is in session, and all such appointments shall be void. Except as otherwise provided by law, a member of the Legislature who is elected to any other state or local office prior to the end of his or her term in the Legislature shall resign from the Legislature prior to the commencement of the legislative session during which the term of the state or local office will begin.".

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

"A constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices except as otherwise provided by law.
For
Against".

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the resolution pass?' "

Voting in the affirmative, 43:

Aguilar	Baker	Beutler	Bohlke	Brashear
Bromm	Brown	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Raikes	Redfield
Schmitt	Smith	Stuhr	Suttle	Thompson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 2:

Schimek Tyson

Present and not voting, 2:

Lynch Schrock

Excused and not voting, 2:

Bourne Robak

A constitutional three-fifths majority having voted in the affirmative, the resolution was declared passed for the general election.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 26, 26A, 349, 495, 495A, 825, 825A, 901, 901A, 956, 1003, 1003A, 1004, 1008, 1008A, 1010, 1067, 1086, 1167, 1167A, 1200, 1221, 1234, 1234A, 1251, 1304, and LR 6CA.

RESOLUTION

LEGISLATIVE RESOLUTION 494. Read. Considered.

SENATOR CUDABACK PRESIDING

Senators Schimek and Bromm renewed their pending amendment, AM3344, found on page 1653.

Senators D. Pederson, Bohlke, and Schmitt asked unanimous consent to be excused until they return. No objections. So ordered.

The Schimek-Bromm amendment was adopted with 27 ayes, 0 nays, 17 present and not voting, and 5 excused and not voting.

Senator Beutler offered the following amendment:
FA407
In Section 7(5) strike the phrase "legislator or member of Congress"

The Beutler amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

LR 494, as amended, was adopted with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

AMENDMENT - Print in Journal

Senator Brashear filed the following amendment to LB 971:
(Amendment on file in the Clerk's office - Room 2018 – AM3372.)

RESOLUTIONS

LEGISLATIVE RESOLUTION 501. Introduced by Connealy, 16.

WHEREAS, Clarence Schmitt of Wisner, Nebraska, has been named the 2000 Outstanding Older Adult for the State of Nebraska; and

WHEREAS, Mr. Schmitt was nominated by the Wisner Senior Center, earned the Outstanding Older Adult title for the northeast Nebraska district, and was then selected from a total of eight nominees by the Department of Health and Human Services Advisory Committee on Aging as the 2000 Outstanding Older Adult for the State of Nebraska; and

WHEREAS, Mr. Schmitt has a long record of community service and public service in the communities of Elgin and Wisner, including service in the Elgin Volunteer Fire Department, the Wisner-Pilger school board and the Cuming County committee for the reorganization of school districts, veterans' and civil defense organizations, community development and housing organizations in Wisner, the Wisner Medical Center, the Wisner Chamber of Commerce, St. Joseph Catholic Church, the Knights of Columbus, Meals on Wheels, and the Northeast Community College Board of Governors; and

WHEREAS, Mr. Schmitt has twice been named Citizen of the Year by the Wisner Lions Club, has received the Community Enrichment Award by the CHIC organization, was Wisner's Outstanding Citizen at Norfolk's La Vitsef Festival, and was St. Patrick's Day Hibernian King in Wisner in 1986; and

WHEREAS, Mr. Schmitt and his wife Helen are the parents of three children and nine grandchildren.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Clarence Schmitt of Wisner on being named the 2000 Outstanding Older Adult for the State of Nebraska.
2. That a copy of this resolution be sent to Mr. and Mrs. Clarence Schmitt.

Laid over.

LEGISLATIVE RESOLUTION 502. Introduced by Price, 26.

WHEREAS, Lester and Violet Brady celebrated their 65th wedding anniversary on December 9, 1999; and

WHEREAS, Lester and Violet Brady grew up in Nebraska, were married in Lincoln in 1934, and, except for a brief period living out of state during World War II, have lived in Nebraska all their lives; and

WHEREAS, Lester and Violet Brady lived in Lincoln until 1961 when they moved to a farm in Lancaster County near Panama and Adams, were they currently reside; and

WHEREAS, Lester and Violet Brady, having no children of their own, have served as substitute parents and as positive role models for their 21 nieces and nephews and many cousins; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Lester and Violet Brady on the occasion of their 65th wedding anniversary.
2. That a copy of this resolution be sent to Lester and Violet Brady.

Laid over.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 11, 2000, at 11:40 a.m., were the following: LBs 26, 26A, 349, 495e, 495Ae, 825e, 825Ae, 901, 901A, 956, 1003, 1003A, 1004, 1008e, 1008A, 1010, 1067e, 1086, 1167e, 1167Ae, 1200, 1221e, 1234, 1234A, 1251, and 1304.

(Signed) Diana Bridges
Clerk of the Legislature's Office

PRESENTED TO THE SECRETARY OF STATE

Presented to the Secretary of State on April 11, 2000, at 11:45 a.m., was the following: LR 6CA.

(Signed) Jamie Kruse
Clerk of the Legislature's Office

VISITORS

Visitors to the Chamber were 10 students and sponsors from St. John the Baptist School, Petersburg; 26 students and teachers from Karen Western Elementary School, Omaha; 55 fourth grade students and teachers from Norris Elementary School, Firth; Mark Sutko from Kearney and Lillian Kuhn from Central City; 13 seventh grade students and teachers from Elba Public School; and 24 fourth grade students and teacher from Palmer.

RECESS

At 11:57 a.m., on a motion by Senator Crosby, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Cudaback presiding.

ROLL CALL

The roll was called and all members were present except Senator Aguilar who was excused; and Senators Bromm, Landis, and Lynch who were excused until they arrive.

UNANIMOUS CONSENT - Member Excused

Senator Coordsen asked unanimous consent to be excused until he returns. No objections. So ordered.

REPORT OF THE EXECUTIVE BOARD

2000 Resolutions calling for an Interim Study

LR 447	Rereferred from Natural Resources to Transportation and Telecommunications/Natural Resources
LR 498	Interim study relating to resolution of disputes involving the fairness of lease terms between agricultural tenants occupying lands owned by railroads Agriculture
LR 500	Interim study to examine whether the Nebraska Ethanol Board's

emphasis on opening new markets and promoting ethanol is an effective use of state resources
Natural Resources/Appropriations

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

ANNOUNCEMENT

The Chair announced today is Senator Bourne's birthday.

MOTION - Override Veto on LB 1107

Senator Wickersham moved to override the veto of LB 1107.

Senator Beutler moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 0 nays, and 20 not voting.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 23:

Baker
Bohlke
Connealy
Coordsen
Cudaback
Dickey
Dierks
Hudkins
Janssen
Jones
Kremer
Lynch
Matzke
Price
Raikes
Robak
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Wickersham

Voting in the negative, 23:

Beutler
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Crosby
Engel
Hilgert
Jensen
Kiel
Kristensen
Landis
Pedersen, Dw.
Pederson, D.
Quandahl
Redfield
Thompson
Tyson
Vrtiska
Wehrbein

Present and not voting, 2:

Hartnett
Preister

Excused and not voting, 1:

Aguilar

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

MOTION - Override Veto on LB 652

Senator Thompson moved to override the veto of LB 652.

SPEAKER KRISTENSEN PRESIDING

Senator Wickersham asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Beutler moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator Thompson moved for a call of the house. The motion prevailed with 36 ayes, 0 nays, and 13 not voting.

Senator Thompson requested a roll call vote.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 24:

Beutler
Cudaback
Kiel
Price
Schrock
Bourne
Hartnett
Landis
Raikes
Stuhr
Bruning
Hilgert
Lynch
Redfield
Suttle
Connealy
Hudkins
Pedersen, Dw.
Robak
Thompson
Crosby
Janssen
Preister
Schimek

Voting in the negative, 18:

Brashear
Dierks
Kristensen
Tyson
Bromm
Engel
Matzke
Vrtiska
Chambers
Jensen
Pederson, D.
Wehrbein
Coordsen
Jones
Quandahl
Dickey
Kremer
Smith

Present and not voting, 5:

Baker
Bohlke
Brown
Byars
Schmitt

Excused and not voting, 2:

Aguilar
Wickersham

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

SELECT COMMITTEE REPORT
Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR 494.

(Signed) Adrian M. Smith, Chairperson

ENROLLED RESOLUTION

LEGISLATIVE RESOLUTION 494. Introduced by Bromm, 23.

WHEREAS, the federal decennial census is currently being conducted; and

WHEREAS, the Nebraska Legislature is charged with redistricting the boundary lines for congressional, legislative, supreme court, public service commission, board of regents, and state board of education districts in Nebraska following the decennial census in the Ninety-seventh Legislature, First Session; and

WHEREAS, the Nebraska Legislature desires to outline a fair and open redistricting process, encouraging the input of all members of the Legislature; and

WHEREAS, the Nebraska Legislature seeks to encourage the input of the public in the redistricting process; and

WHEREAS, the Nebraska Legislature desires to set forth a plan for seeking to achieve the objectives stated in this resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature adopts the Nebraska Redistricting Resolution to establish the process that is intended to be followed in the redistricting process.

Section 1. This resolution shall be known and may be cited as the Nebraska Redistricting Resolution.

Sec. 2. For purposes of the Nebraska Redistricting Resolution, it is intended as follows:

(1) Board means the Executive Board of the Legislative Council;

(2) Director means the Director of Research of the Legislature or his or her designee;

(3) Other district means a legislative district, supreme court judicial district, public service commission district, board of regents district, or state board of education district;

(4) Redistricting process means the activities that relate to the redrawing of district boundaries for congressional districts and other districts

undertaken in conjunction with the federal decennial census; and

(5) Task force means the redistricting advisory task force established pursuant to section 3 of this resolution.

Sec. 3. (1) There is hereby established a redistricting advisory task force. The task force shall be comprised of nine members of the Legislature, three from each congressional district existing on January 1 of the year following the year in which the federal government takes the decennial census. Members of the task force shall be appointed by the board at any time after the board has been reconstituted in January of the year following the year in which the federal government takes the decennial census. No more than five of the members appointed to the task force shall be of the same political party. The task force shall continue throughout the redistricting process and shall be reconstituted pursuant to this section in the event of a successful legal challenge to any part of the redistricting process.

(2) The task force shall be responsible for overseeing the redistricting process under the Nebraska Redistricting Resolution. Funds shall be expended for the purchase or lease of equipment and materials to be used for the redistricting process only with the prior approval of the chairperson of the board.

(3) At the first meeting of the task force, the members shall select from among themselves by majority vote one member to serve as chairperson of the task force and one member to serve as vice-chairperson of the task force.

(4) The task force shall receive staff support from the director.

Sec. 4. (1)(a) The Redistricting Task Force, created by LR 174 in 1999, which was continued by LR 297 in 2000, shall draft and recommend the substantive and procedural guidelines that will guide the Legislature's 2001 redistricting process. The substantive and procedural guidelines shall be formulated by the beginning of the 2001 legislative session and presented to the Legislative Council for its approval.

(b) In 2001, the task force established by this resolution shall, based upon the data received from the United States Bureau of the Census, compile statistics, redraw congressional district boundaries and other district boundaries, and prepare redistricting plans and maps reflecting the proposed new boundaries.

(2) The task force shall cause legislative bills to be introduced pertaining to the redistricting process during the first ten days of the legislative session. The plans shall be introduced as amendments to such bills pursuant to section 6 of this resolution.

(3) Nothing in the Nebraska Redistricting Resolution shall be construed to preclude a member of the Legislature from introducing a bill or an amendment pertaining to the redistricting process.

Sec. 5. (1) The director shall only provide such information regarding the plans as may be required by guidelines adopted by the task force to persons outside (a) his or her office and (b) the office of the Revisor of Statutes.

(2) A request to the director for the preparation of a redistricting plan by any member of the Legislature shall be confidential, and information related to such plan shall be released only by such member.

Sec. 6. (1) The task force shall prepare proposed plans for drawing congressional and other district boundaries. As soon as possible in conjunction with such plans, the task force shall make the following available to the Legislature and to the public: (a) Copies of the amendments embodying the plans; (b) maps illustrating the plans; and (c) a statement that includes: (i) The ideal population of a congressional district and the other districts; (ii) the population of each congressional district and each other district created in the plans; and (iii) the percentage deviation from the ideal population of each proposed congressional district and each other district created in the plans.

(2) The task force shall then schedule and conduct at least one public hearing in each congressional district for the purposes of soliciting input on the proposed plans.

(3) Following the public hearings, the task force shall (a) cause to be made available transcripts of testimony received during the public hearings and (b) deliver its amendments embodying the plans to the legislative committee to which the bills were referred.

(4) The committee shall hold a public hearing on the amendments proposed by the task force.

Sec. 7. (1)(a) Boundaries of congressional districts and other districts shall be established on the basis of population and census geography.

(b) Congressional districts and other districts shall have a population as nearly equal as practicable to the ideal population for such districts, determined by dividing the number of districts to be established into the population of the state reported in the most recent federal decennial census.

(c) The population of congressional districts and other districts shall not vary from the relevant ideal district populations except as allowed by subdivisions (d) and (e) of this subsection.

(d) No congressional district shall have a population which causes a plan to have a relative deviation in excess of plus or minus one-half percent, based on the ideal district population.

(e) No other district shall have a population which causes a plan to have a relative deviation in excess of the guidelines established by the task force.

(2) County lines shall be followed whenever practicable for boundaries of congressional districts and other districts. To the greatest extent possible, consistent with subsection (1) of this section, the boundaries shall coincide with the boundaries of cities and villages of the state.

(3) The number of counties, cities, and villages divided among more than one congressional district or other district shall be as small as possible. If a county, city, or village must be divided, the division shall be made along clearly recognizable boundaries, using visible, recognizable physical features which meet the requirements of the United States Bureau of the Census.

(4) Congressional districts and other districts shall be composed of contiguous and compact territory. Areas which meet only at the points of adjoining corners shall not be deemed contiguous.

(5) No congressional district or other district shall be drawn for the purpose of favoring a political party, an incumbent, or any other person or group or which results in the unlawful dilution of the voting strength of a language or racial minority group.

(6) In establishing congressional districts and other districts, the following data shall not be used:

(a) Addresses of incumbents;
(b) Political affiliations of registered voters; and
(c) Demographic information, other than population head counts, and previous election results, except as required by the laws and Constitution of the United States.

Laid over.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 494.

STANDING COMMITTEE REPORT
Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointments listed below. The Committee suggests the appointments be confirmed by the Legislature and suggests a record vote.

Board of Emergency Medical Services
  Katherine Vasa

State Foster Care Review Board
  Linda Lund
  Sheila Heieck
  Burrell Williams
  Carole Douglas
  Susan Gilmore

VOTE: Aye: Senators Jensen, Byars, Suttle, Thompson, Price, and Dickey. Nay: None. Absent: Senator Tyson.

(Signed) Jim Jensen, Chairperson

UNANIMOUS CONSENT - Member Excused

Senator Redfield asked unanimous consent to be excused until she returns. No objections. So ordered.

MOTION - Override Veto on LB 922

Senators Cudaback and Suttle moved to override the gubernatorial veto of LB 922.

Senator Robak moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 3 nays, and 15 not voting.

Senator Chambers moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

Senator Cudaback requested a roll call vote.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 24:

Baker
Beutler
Bourne
Brashear
Chambers
Connealy
Crosby
Cudaback
Hartnett
Hilgert
Janssen
Kiel
Kristensen
Landis
Lynch
Pedersen, Dw.
Preister
Price
Robak
Schimek
Schrock
Smith
Suttle
Thompson

Voting in the negative, 20:

Bohlke
Bromm
Bruning
Byars
Coordsen
Dickey
Dierks
Engel
Hudkins
Jensen
Jones
Kremer
Matzke
Pederson, D.
Raikes
Schmitt
Stuhr
Tyson
Vrtiska
Wehrbein

Present and not voting, 2:

Brown
Quandahl

Excused and not voting, 3:

Aguilar
Redfield
Wickersham

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR 367.

MOTION - Override Veto on LB 717

Senator Preister moved to override the veto on LB 717.

Senator Preister moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

Senator Preister requested a roll call vote in reverse order.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 25:

Bourne Brashear Chambers Connealy Crosby
Cudaback Hartnett Hilgert Janssen Kiel
Kristensen Landis Lynch Matzke Pedersen, Dw.
Pederson, D. Preister Price Raikes Robak
Schimek Schmitt Schrock Suttle Thompson

Voting in the negative, 17:

Baker Bohlke Bromm Bruning Byars
Coordsen Dickey Dierks Hudkins Jensen
Jones Kremer Quandahl Smith Tyson
Vrtiska Wehrbein

Present and not voting, 4:

Beutler Brown Engel Stuhr

Excused and not voting, 3:

Aguilar Redfield Wickersham

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

MOTION - Override Veto on LB 480

Senator Schimek moved to override the Governor's veto on LB 480.

Senator Schimek moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 32:

Beutler Bohlke Bourne Bromm Brown

Bruning	Byars	Chambers	Connealy	Coordsen
Crosby	Cudaback	Hartnett	Hilgert	Janssen
Kiel	Kristensen	Landis	Lynch	Matzke
Pedersen, Dw.	Preister	Price	Raikes	Robak
Schimek	Schmitt	Schrock	Stuhr	Suttle
Thompson	Wickersham			

Voting in the negative, 5:

Engel	Jones	Smith	Tyson	Wehrbein

Present and not voting, 10:

Baker	Brashear	Dickey	Dierks	Hudkins
Jensen	Kremer	Pederson, D.	Quandahl	Vrtiska

Excused and not voting, 2:

Aguilar	Redfield

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

MOTION - Override Line-Item Veto on LB 480A

Senator Wehrbein moved to override the Governor's line-item veto of LB 480A.

Senator Wehrbein moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

Senator Wehrbein requested a roll call vote in reverse order.

Whereupon the President stated: "The question shall be, 'Shall those portions of the bill pass notwithstanding the line-item objections of the Governor?' "

Voting in the affirmative, 21:

Beutler	Bourne	Brashear	Chambers	Connealy
Crosby	Dierks	Hartnett	Hilgert	Janssen
Kiel	Kristensen	Lynch	Matzke	Preister
Price	Robak	Suttle	Thompson	Wehrbein
Wickersham				

Voting in the negative, 23:

Baker	Bohlke	Bromm	Brown	Bruning

Byars	Coordsen	Dickey	Engel	Hudkins
Jensen	Jones	Kremer	Landis	Pedersen, Dw.
Pederson, D.	Quandahl	Raikes	Schmitt	Smith
Stuhr	Tyson	Vrtiska		

Present and not voting, 3:

Cudaback	Schimek	Schrock

Excused and not voting, 2:

Aguilar	Redfield

Having failed to receive a constitutional three-fifths majority voting in the affirmative, those portions of the bill failed to pass notwithstanding the line-item objections of the Governor.

The Chair declared the call raised.

UNANIMOUS CONSENT - Member Excused

Senator Byars asked unanimous consent to be excused. No objections. So ordered.

MOTION - Override Veto on LB 1092

Senator Robak moved to override the Governor's veto of LB 1092.

Senator Lynch moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 1 nay, and 19 not voting.

Senator Robak moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

Senator Robak requested a roll call vote.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 25:

Beutler	Bohlke	Bourne	Chambers	Connealy
Cudaback	Dickey	Dierks	Hilgert	Janssen
Kiel	Kristensen	Landis	Lynch	Matzke
Pedersen, Dw.	Preister	Price	Robak	Schimek
Schmitt	Smith	Stuhr	Suttle	Thompson

Voting in the negative, 10:

Baker	Brashear	Bruning	Coordsen	Engel
Quandahl	Raikes	Tyson	Vrtiska	Wehrbein

Present and not voting, 11:

Bromm	Brown	Crosby	Hartnett	Hudkins
Jensen	Jones	Kremer	Pederson, D.	Schrock
Wickersham				

Excused and not voting, 3:

Aguilar	Byars	Redfield

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

MOTION - Override Veto on LB 1092A

Senator Robak moved to override the Governor's veto of LB 1092A.

Senator Robak withdrew her motion to override.

MOTION - Override Veto on LB 289

Senator Cudaback moved to override the Gubernatorial veto of LB 289.

Senator Cudaback withdrew his motion to override.

COMMUNICATIONS

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 1107, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 652, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 652A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 922, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 922A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 717, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 717A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB 480 with a certificate attached thereto signed by the Speaker of the Legislature certifying the passage of LB 480, notwithstanding the objections of the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 480, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, it has become law this 11th day of April 2000.

(Signed) Douglas Kristensen
Speaker of the Legislature

COMMUNICATIONS

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Johanns of LB 480A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 1092, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 1092A, and consistent with our rules, I am delivering the bill for filing in the form as prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

RESOLUTION

LEGISLATIVE RESOLUTION 503. Introduced by Transportation and Telecommunications Committee: Bromm, 23, Chairperson; Baker, 44; Byars, 30; Hudkins, 21; Jones, 43; Dw. Pedersen, 39.

PURPOSE: The purpose of this resolution is to study the potential mechanisms, other than the authority to assess fines, for (1) returning inappropriate or excessive telecommunications charges to ratepayers and (2) returning ratepayer dollars when there are deficiencies in quality or service.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITORS

Visitors to the Chamber were 40 seniors and teacher from Lincoln High School; 55 fourth grade students and teachers from Norris Elementary School, Firth; Gennine Diddier from Bellwood; and 104 eighth grade students and teacher from St. Margaret Mary School, Omaha.

ADJOURNMENT

At 6:28 p.m., on a motion by Senator Tyson, the Legislature adjourned until 9:00 a.m., Wednesday, April 12, 2000.

Patrick J. O'Donnell
Clerk of the Legislature

printed on recycled paper

SIXTIETH DAY - APRIL 12, 2000

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE
SECOND SESSION

SIXTIETH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 12, 2000

PRAYER

The prayer was offered by Senator Crosby.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:03 a.m., President Maurstad presiding.

The roll was called and all members were present except Senators Dierks, Landis, and Robak who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-ninth day was approved.

COMMUNICATIONS

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 289e, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 11, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol Building
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 289Ae, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

MESSAGES FROM THE GOVERNOR

April 11, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 833 and 833A were received in my office on April 10, 2000; Engrossed Legislative Bills 26, 26A, 349, 495, 495A, 825, 825A, 901, 901A, 1003, 1003A, 1004, 1008A, 1010, 1067, 1086, 1167, 1167A, 1200, 1221, 1234, 1234A, 1251, and 1304 were received on April 11, 2000.

These bills were signed by me on April 11, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

April 11, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 1008 with my signature but with a line-item reduction.

I am reducing the General Fund appropriation by $40,000 in FY 2000-01. This same amount is included in LB 1008A.

With the additional funding provided in LB 1008A, the Commission on Law Enforcement and Criminal Justice will have available $200,000 required to complete the criminal homicide study this biennium, plus the on-going funding necessary to update the study.

I urge you to sustain this reduction to LB 1008.

Sincerely,
(Signed) Mike Johanns
Governor

April 11, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, Nebraska 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 956 without my signature and with my objections.

LB 956 would provide for salary increases for the State's constitutional officers. The Governor's salary would be increased, effective January 9, 2003, by thirty-one percent. I appreciate your willingness to examine the salary levels of Nebraska constitutional officers as compared to officeholders of other states. At a time, however, when I have vetoed many meritorious proposals due to our current budget constraints, I cannot in good conscience agree to raise my salary, along with those of other constitutional officers.

For these reasons, I urge you to sustain this reduction to LB 956.

Sincerely,
(Signed) Mike Johanns
Governor

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 659.

A BILL FOR AN ACT relating to gambling; to amend sections 9-1,101, 83-162.04, and 83-162.06, Reissue Revised Statutes of Nebraska, and section 9-812, Revised Statutes Supplement, 1999; to change provisions relating to the Compulsive Gamblers Assistance Fund; to provide for transfers; to provide duties; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar Baker Bohlke Bourne Brashear
Bromm Brown Bruning Byars Chambers
Connealy Crosby Cudaback Dickey Dierks
Engel Hartnett Hilgert Janssen Jensen
Jones Kiel Kremer Kristensen Landis
Lynch Matzke Pedersen, Dw. Pederson, D. Quandahl
Raikes Redfield Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Wehrbein Wickersham

Voting in the negative, 1:

Price

Present and not voting, 5:

Beutler Coordsen Hudkins Preister Vrtiska

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 659A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 659, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar Baker Bohlke Bourne Brashear

Bromm
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Price

Present and not voting, 3:

Beutler
Brown
Preister

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 819 with 40 ayes, 2 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 819.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 20-162, 30-3402, 37-1254.06, 44-526, 44-771, 44-772, 44-782, 44-2806, 44-2827.01, 60-4,164.01, 60-6,201, 60-6,202, 60-6,204, 68-1019.02, 68-1202, 69-2507, 71-1,147.15, 71-2049, 71-2079, 71-2084, 71-20,112, 71-3608, 71-3613, 71-5033, 71-6012, 71-6016, 71-6021, 71-6023, 71-6037, 71-6044, 71-6049, 71-6051, 71-6052, 71-6615, 71-6826, 71-7702, 76-1304, 77-2702.14, 77-2702.15, 77-2704.12, 77-3504, 81-604.01, 81-2210, 81-2243, 81-3201, and 83-392, Reissue Revised Statutes of Nebraska, sections 28-326, 68-1038, 71-168.02, 71-1,147.08, 71-1,147.35, 71-1,341, 71-511, 71-533, 71-1637, 71-2048.01, 71-2097, 71-20,103, 71-20,115, 71-20,116, 71-2411, 71-5803.01, 71-5803.02, 71-5803.05, 71-5803.08 to 71-5803.11, 71-5803.13, 71-5803.15, 71-5869, 71-6043, 71-6050, 71-6602, 71-6721, 71-6725, 71-6735, 71-7102, 71-7901, 71-8219, and 81-651, Revised Statutes Supplement, 1998, and sections 28-414, 44-793, 68-1006.01, 71-185.01, 71-1,103, 71-1,142, 71-1,147.09, 71-1,147.10, 71-1,200, 71-507, 71-2601, 71-51,102, 71-6053, 71-7613, 71-8507, and 81-502, Revised Statutes Supplement, 1999; to adopt the Health Care Facility Licensure Act; to change and eliminate provisions relating to licensing and regulating health care facilities and services; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 71-1,147.01, 71-1,147.04 to 71-1,147.07, 71-1,147.12, 71-2017.03, 71-2017.04, 71-2017.06, 71-2018, 71-2020, 71-2021, 71-2021.02, 71-2022, 71-2023.01 to 71-2023.07, 71-2026 to 71-2029, 71-5901, 71-5902, 71-5904 to 71-5909, 71-6018, 71-6024 to 71-6036, 71-6609, 71-6614, 71-7801, 71-7802, and 71-7805, Reissue Revised Statutes of Nebraska, sections 71-1,147.03, 71-2017, 71-2017.07, 71-2021.01, 71-2023, 71-2024, 71-20,117, 71-5903, 71-7804, and 71-7806, Revised Statutes Supplement, 1998, sections 71-1,147.02, 71-1,147.11, 71-2017.01, 71-20,118, 71-20,119, and 71-7803, Revised Statutes Supplement, 1999, section 71-1,147.08, Revised Statutes Supplement, 1998, as amended by section 88 of this legislative bill, and sections 71-1,147.09 and 71-1,147.10, Revised Statutes Supplement, 1999, as amended by sections 89 and 90 of this legislative bill.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Matzke

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 819A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 819, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Matzke	Pedersen, Dw.	Pederson, D.
Preister	Price	Quandahl	Raikes	Redfield
Schimek	Schmitt	Schrock	Smith	Stuhr
Suttle	Thompson	Tyson	Vrtiska	Wehrbein
Wickersham				

Voting in the negative, 0.

Present and not voting, 2:

Connealy Lynch

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 925 with 39 ayes, 2 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 925.

A BILL FOR AN ACT relating to child care; to amend sections 68-1723, 77-908, 77-2717, and 77-3806, Reissue Revised Statutes of Nebraska, sections 68-1713, 77-2701, and 77-2734.03, Revised Statutes Supplement, 1998, and section 77-2715.07, Revised Statutes Supplement, 1999; to change cash assistance exemption provisions under the Welfare Reform Act; to provide a tax credit for business child care expenditures; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Aguilar	Baker	Bohlke	Bourne	Brashear
Brown	Bruning	Byars	Connealy	Crosby
Cudaback	Dickey	Dierks	Hartnett	Hilgert
Hudkins	Jones	Kiel	Kremer	Kristensen
Landis	Lynch	Pedersen, Dw.	Preister	Price
Quandahl	Redfield	Schimek	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	

Voting in the negative, 14:

Beutler	Bromm	Chambers	Coordsen	Engel
Janssen	Jensen	Matzke	Pederson, D.	Raikes
Schmitt	Vrtiska	Wehrbein	Wickersham	

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 925A.

A BILL FOR AN ACT relating to appropriations; to amend Laws 1999, LB 880, section 103; to appropriate funds to aid in carrying out the provisions of Legislative Bill 925, Ninety-sixth Legislature, Second Session, 2000; to reduce certain appropriations; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Aguilar	Baker	Bohlke	Bourne	Brashear
Bromm	Brown	Bruning	Byars	Connealy
Crosby	Cudaback	Dickey	Dierks	Hartnett
Hilgert	Hudkins	Janssen	Jones	Kiel
Kristensen	Landis	Lynch	Pedersen, Dw.	Preister

Price	Quandahl	Redfield	Schimek	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson

Voting in the negative, 10:

Beutler	Chambers	Coordsen	Engel	Jensen
Matzke	Pederson, D.	Raikes	Schmitt	Wickersham

Present and not voting, 3:

Kremer	Vrtiska	Wehrbein

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

ANNOUNCEMENT

The Chair announced today is Senator Cudaback's birthday.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 932 with 41 ayes, 2 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 932. With Emergency.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-148.07, 8-301, 8-305, 8-317, 8-331, 8-334, 8-336, 8-340, 8-345.01, 8-346, 8-1103, 8-1111, 8-1120, 8-1502, 21-1701, 21-1767, 21-1768, 30-3205, 45-116, 45-205, 45-337, 45-717, 45-919, 72-1263, 72-1264, 77-2327, 77-2386, 77-2390, 77-2395, and 81-885.21, Reissue Revised Statutes of Nebraska, sections 8-101, 8-205, 8-223, 8-910, and 77-2387, Revised Statutes Supplement, 1998, and sections 8-157.01, 8-1,140, 8-355, 8-602, 21-17,115, 45-137, and 77-2391, Revised Statutes Supplement, 1999; to revise the powers of bank subsidiary corporations, state-chartered banks, building and loan associations, and credit unions; to change provisions relating to automatic teller machines, the Nebraska Trust Company Act, building and loan companies, department fees, the Nebraska Bank Holding Company Act of 1995, the Securities Act of Nebraska, acquisitions and mergers, the Credit Union Act, investments by fiduciaries, installment loans, revolving charge agreements, installment sales, the Mortgage Bankers Registration and Licensing Act, the Delayed Deposit Services Licensing

Act, the deposit of public funds, and real estate trust accounts; to require a fidelity bond from credit unions; to eliminate provisions relating to foreign building and loan associations; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 8-342 to 8-345, Reissue Revised Statutes of Nebraska; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 1:

Lynch

Excused and not voting, 1:

Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 972 with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 972. With Emergency.

A BILL FOR AN ACT relating to child support; to amend sections 42-347, 42-357, 42-358, 42-358.01, 42-358.02, 42-364.01, 42-364.13, 42-364.15, 42-369, 42-371.01, 43-512, 43-512.07, 43-1701, 43-1703, 43-1718, 43-1718.02, 43-1723, 43-1727, 43-1729, and 43-1741, Reissue Revised Statutes of Nebraska, and sections 43-3341, 43-3342, 43-3344, 43-3346, and 43-3347, Revised Statutes Supplement, 1999; to implement support payments through the State Disbursement Unit and the Title IV-D Division as prescribed; to establish a Customer Service Unit; to create the State Disbursement Advisory Commission; to provide a fee for insufficient funds checks; to provide powers and duties; to define terms; to rename a fund; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 47:

Aguilar
Brashear
Connealy
Dierks
Janssen
Kristensen
Pederson, D.
Redfield
Stuhr
Wehrbein
Baker
Bromm
Coordsen
Engel
Jensen
Landis
Preister
Schimek
Suttle
Wickersham
Beutler
Brown
Crosby
Hartnett
Jones
Lynch
Price
Schmitt
Thompson
Bohlke
Bruning
Cudaback
Hilgert
Kiel
Matzke
Quandahl
Schrock
Tyson
Bourne
Byars
Dickey
Hudkins
Kremer
Pedersen, Dw.
Raikes
Smith
Vrtiska

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 1:

Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bill was read and put upon final passage:

LEGISLATIVE BILL 972A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 972, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 1:

Chambers

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION - Bracket LB 1021

Senator Bruning moved to bracket LB 1021 until April 12, 2000.

Senator Bruning withdrew his motion to bracket.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1021.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend sections 49-1403, 49-1423, 49-1483, 49-1490, and 49-1496, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Supplement, 1999; to define and redefine terms; to change provisions relating to filings required by lobbyists and principals, gifts from lobbyists and principals, and statements of financial interests; to require reporting of certain gifts; to provide penalties; to provide for rules and regulations; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar Beutler Bohlke Bourne Brashear
Bromm Brown Byars Chambers Connealy
Coordsen Cudaback Dickey Dierks Engel
Hartnett Hilgert Hudkins Janssen Jensen
Kiel Kremer Kristensen Landis Matzke
Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Vrtiska
Wehrbein Wickersham

Voting in the negative, 6:

Baker Bruning Crosby Jones Lynch
Tyson

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1025.

A BILL FOR AN ACT relating to nursing; to adopt the Nebraska Center for Nursing Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar Baker Bohlke Bourne Brashear
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hilgert Hudkins Janssen
Jensen Jones Kiel Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 2:

Beutler
Hartnett

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1025A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1025, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar
Bromm
Connealy
Dierks
Jensen
Lynch
Price
Schmitt
Thompson
Baker
Brown
Coordsen
Engel
Jones
Matzke
Quandahl
Schrock
Tyson
Bohlke
Bruning
Crosby
Hilgert
Kiel
Pedersen, Dw.
Raikes
Smith
Vrtiska
Bourne
Byars
Cudaback
Hudkins
Kremer
Pederson, D.
Redfield
Stuhr
Wehrbein
Brashear
Chambers
Dickey
Janssen
Landis
Preister
Schimek
Suttle
Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Beutler
Hartnett
Kristensen

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1101.

A BILL FOR AN ACT relating to older persons; to amend section 81-2210, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Senior Companion Volunteer Program Act; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Jones	Kiel
Kremer	Kristensen	Landis	Lynch	Matzke
Pedersen, Dw.	Pederson, D.	Preister	Price	Quandahl
Raikes	Redfield	Schimek	Schmitt	Schrock
Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1101A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1101, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Connealy	Coordsen	Crosby	Cudaback
Dickey	Dierks	Engel	Hartnett	Hilgert
Hudkins	Janssen	Jensen	Jones	Kiel
Kremer	Kristensen	Landis	Lynch	Matzke
Pedersen, Dw.	Pederson, D.	Preister	Price	Quandahl
Raikes	Redfield	Schimek	Schmitt	Schrock

Smith	Stuhr	Suttle	Thompson	Tyson
Vrtiska	Wehrbein	Wickersham		

Voting in the negative, 0.

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1107A.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-1590, Revised Statutes Supplement, 1999; to authorize in lieu of tax payments for Indian housing authorities as prescribed; to define terms; to provide powers; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Bruning	Byars	Chambers
Connealy	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Present and not voting, 1:

Brown

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1115 with 36 ayes, 2 nays, 10 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1115. With Emergency.

A BILL FOR AN ACT relating to health and human services; to amend sections 18-1738, 37-1254.06, 48-1903, 60-4,164.01, 60-6,201, 60-6,202, 60-6,204, 68-1050, 71-1,132.07, 71-1,132.08, 71-1,143, 71-1,147.01, 71-1,160, 71-1704 to 71-1708, 71-1709.01 to 71-1710, 71-1712, 71-1714, 71-1716 to 71-1716.03, 71-1716.05, 71-1717, 71-1718.01, 71-1718.02, 71-1721, 71-1721.07, 71-1723 to 71-1727, 71-1775, 71-1776, 71-1777, 71-1780, 71-1781, 71-1784, 71-3515.02, 71-4401, 71-5303, 71-5306, 71-5652, and 79-221, Reissue Revised Statutes of Nebraska, sections 68-1021, 71-168.02, 71-1,147.57, 71-1,147.58, 71-1,198, 71-1,339, 71-541, 71-1722, 71-1778, 71-2610.01, 71-3505, 71-5191, 71-5653, 71-5662, 71-5663, 71-5665, 71-5668, 71-8207, and 79-214, Revised Statutes Supplement, 1998, and sections 28-405, 44-2847, 71-168, 71-1,103, 71-1,132.11, 71-1735, 71-1774, 71-1913.01, 71-3507, 71-5707, 79-11,145, 79-11,146, and 79-11,149, Revised Statutes Supplement, 1999; to change provisions relating to schedules of controlled substances, medical review panels, medical assistance, managed care, veterinarians, advanced registered nurse practitioners, licensed practical nurses-certified, radiography, rabies vaccination and control, public water supply regulation, the Rural Health Systems and Professional Incentive Act, the Nebraska Clean Indoor Air Act, and the Community-Based Neurobehavioral Action Plan Act; to repeal the Clinical Laboratories Certification Act and a prohibition on gifts as prescribed; to harmonize provisions; to repeal the original sections; to outright repeal sections 71-6802 to 71-6815.01, 71-6817 to 71-6831, and 83-120, Reissue Revised Statutes of Nebraska, and sections 71-6801 and 71-6816, Revised Statutes Supplement, 1998; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 46:

Aguilar
Brashear
Chambers
Dickey
Hudkins
Kremer
Preister
Baker
Bromm
Connealy
Dierks
Janssen
Lynch
Price
Beutler
Brown
Coordsen
Engel
Jensen
Matzke
Quandahl
Bohlke
Bruning
Crosby
Hartnett
Jones
Pedersen, Dw.
Raikes
Bourne
Byars
Cudaback
Hilgert
Kiel
Pederson, D.
Redfield

Schimek Schmitt Schrock Smith Stuhr
Suttle Thompson Tyson Vrtiska Wehrbein
Wickersham

Voting in the negative, 1:

Landis

Present and not voting, 1:

Kristensen

Excused and not voting, 1:

Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1116 with 40 ayes, 2 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1116.

A BILL FOR AN ACT relating to cities; to amend sections 3-503, 3-706, 13-316, 13-510, 13-918, 14-501 to 14-504, 15-1026, and 18-2716, Reissue Revised Statutes of Nebraska, section 77-3523, Revised Statutes Supplement, 1998, and sections 13-503, 13-511, and 14-512, Revised Statutes Supplement, 1999; to provide for biennial budgeting in cities of the metropolitan and primary classes; to define terms; to eliminate obsolete provisions relating to fire and police pension funds; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 48:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Connealy Coordsen Crosby Cudaback
Dickey Dierks Engel Hartnett Hilgert
Hudkins Janssen Jensen Jones Kiel
Kremer Kristensen Landis Lynch Matzke

Pedersen, Dw. Pederson, D. Preister Price Quandahl
Raikes Redfield Schimek Schmitt Schrock
Smith Stuhr Suttle Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1223.

A BILL FOR AN ACT relating to the Beginning Farmer Tax Credit Act; to amend section 77-2717, Reissue Revised Statutes of Nebraska, section 77-2734.03, Revised Statutes Supplement, 1998, and sections 77-5203, 77-5204, and 77-5209 to 77-5211, Revised Statutes Supplement, 1999; to change provisions relating to reports and qualification for tax credits; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar Baker Bohlke Bourne Brashear
Bromm Brown Bruning Byars Chambers
Connealy Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Preister
Price Quandahl Redfield Schimek Schmitt
Schrock Smith Stuhr Thompson Tyson
Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 5:

Beutler Kiel Pederson, D. Raikes Suttle

Excused and not voting, 1:

Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Senator Connealy asked unanimous consent to be excused until he returns. No objections. So ordered.

LEGISLATIVE BILL 1223A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1223, Ninety-sixth Legislature, Second Session, 2000.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar
Bromm
Coordsen
Hartnett
Jones
Matzke
Schimek
Thompson
Baker
Brown
Crosby
Hilgert
Kremer
Pedersen, Dw.
Schmitt
Tyson
Bohlke
Bruning
Cudaback
Hudkins
Kristensen
Price
Schrock
Vrtiska
Bourne
Byars
Dickey
Janssen
Landis
Quandahl
Smith
Wehrbein
Brashear
Chambers
Dierks
Jensen
Lynch
Redfield
Stuhr
Wickersham

Voting in the negative, 0.

Present and not voting, 7:

Beutler
Raikes
Engel
Suttle
Kiel
Pederson, D.
Preister

Excused and not voting, 2:

Connealy
Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 1279. With Emergency.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 13-502, Reissue Revised Statutes of Nebraska, and section 77-3508, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Budget Act and homestead exemptions; to provide operative dates; to repeal the original sections; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to

procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 39:

Aguilar Baker Beutler Bohlke Brashear
Bromm Brown Bruning Byars Coordsen
Cudaback Dickey Dierks Engel Hartnett
Hudkins Janssen Jones Kremer Kristensen
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schimek Schmitt Schrock Smith Stuhr
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 6:

Bourne Chambers Hilgert Kiel Suttle
Thompson

Present and not voting, 2:

Crosby Jensen

Excused and not voting, 2:

Connealy Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB 1361 with 36 ayes, 2 nays, 9 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1361.

A BILL FOR AN ACT relating to transportation; to amend sections 60-625, 60-680, 60-6,133, 60-6,232, 60-6,289, 60-6,290, 60-6,294, 60-6,298, and 60-6,301, Reissue Revised Statutes of Nebraska, and sections 60-6,288, 75-363, and 75-364, Revised Statutes Supplement, 1999; to change provisions relating to the Nebraska Rules of the Road, motor carrier safety regulations, and hazardous material regulations; to prohibit the use of engine brakes and change passing requirements as prescribed; to change and eliminate size, weight, and length limitations, overload exceptions, and permit provisions; to define a term; to change effective dates; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kiel	Kremer
Kristensen	Landis	Lynch	Matzke	Pedersen, Dw.
Pederson, D.	Preister	Price	Quandahl	Raikes
Redfield	Schimek	Schmitt	Schrock	Smith
Stuhr	Suttle	Thompson	Tyson	Vrtiska
Wehrbein	Wickersham			

Voting in the negative, 0.

Excused and not voting, 2:

Connealy Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 1410. With Emergency.

A BILL FOR AN ACT relating to Nebraska history; to amend section 90-404, Reissue Revised Statutes of Nebraska; to authorize the Game and Parks Commission to accept a gift of real estate for Arbor Lodge State Historical Park; to establish the Nebraska Lewis and Clark Bicentennial Commission; to create a fund; to provide a termination date; to repeal the original section; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar	Baker	Beutler	Bohlke	Bourne
Brashear	Bromm	Brown	Bruning	Byars
Chambers	Coordsen	Crosby	Cudaback	Dickey
Dierks	Engel	Hartnett	Hilgert	Hudkins
Janssen	Jensen	Jones	Kremer	Kristensen

Landis Lynch Matzke Pedersen, Dw. Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Kiel Pederson, D. Preister

Excused and not voting, 2:

Connealy Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 1410A. With Emergency.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1410, Ninety-sixth Legislature, Second Session, 2000; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the emergency clause attached?' "

Voting in the affirmative, 44:

Aguilar Baker Beutler Bohlke Bourne
Brashear Bromm Brown Bruning Byars
Chambers Coordsen Crosby Cudaback Dickey
Dierks Engel Hartnett Hilgert Hudkins
Janssen Jensen Jones Kremer Landis
Lynch Matzke Pedersen, Dw. Preister Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Vrtiska Wehrbein Wickersham

Voting in the negative, 0.

Present and not voting, 3:

Kiel Kristensen Pederson, D.

Excused and not voting, 2:

Connealy Robak

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

WITHDRAW - Motion to LB 1213

Senator Brashear withdrew his motion, found on page 1692 and considered on page 1693, to return LB 1213 to Select File for his specific amendment, FA405.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1213.

A BILL FOR AN ACT relating to schools; to amend section 79-1029, Revised Statutes Supplement, 1999; to change provisions relating to growth rate override elections; to provide for lump-sum payments; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Coordsen
Crosby
Cudaback
Dickey
Dierks
Engel
Hartnett
Hilgert
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 0.

Excused and not voting, 2:

Connealy
Robak

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

REPORTS

The following reports were received by the Legislature:

Auditor of Public Accounts

Department of Administrative Services - Program 173 - Division of Communications - FY 99
Department of Banking and Finance - FY 99
Board of Educational Lands and Funds - FY 99
Health and Human Services System Divisions: 27 Aging Services, 82 Aging Care Management/Senior Care, and 83 Aging Services Aid - FY 99
Health and Human Services System - Regional Centers - FY 99
Department of Insurance - FY 99
Department of Labor - Program 194 - Division for Protection of People and Property - FY 99
Library Commission - FY 99
Coordinating Commission for Postsecondary Education - FY 99
Real Estate Commission - FY 99
Public Employees Retirement Systems - School Employees, Judges and State Patrol Retirement Plans - FY 99
Department of Revenue - Homestead Exemption Distributions Advisory Letter - 10/99
State Property Damage Program - Highway Safety Division - Department of Roads, Specific Procedures Report - 7/1/98-11/30/99
Rural Development Commission - FY 99
University of Nebraska - FY 99
Commission on the Status of Women - FY 99
State of Nebraska Statewide Single Audit - FY 99

Revenue, Department of

Charitable Gaming Division 1999 Annual Report

REPORT OF THE EXECUTIVE BOARD

2000 Resolution calling for an Interim Study

LR 503	Interim study to examine mechanisms for returning inappropriate or excessive telecommunications charges to ratepayers Transportation and Telecommunications

(Signed) George Coordsen, Chairperson
Legislative Council
Executive Board

REPORT OF REGISTERED LOBBYISTS

The following is a list of all lobbyists who have registered as of April 11, 2000, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell

Clerk of the Legislature

Cutshall & Associates - Lincoln; Kelley, Lehan & Hall, P.C.
Scherling, Mary Jane - Lincoln; Nebraska Nurses Association (Withdrawn 04/05/2000)

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 659, 659A, 819, 819A, 925, 925A, 932, 972, 972A, 1021, 1025, 1025A, 1101, 1101A, 1107A, 1115, 1116, 1223, 1223A, 1279, 1361, 1410, 1410A, and 1213.

RESOLUTION

LEGISLATIVE RESOLUTION 499. Read. Considered.

LR 499 was adopted with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

SENATOR KIEL PRESIDING

Senator Beutler asked unanimous consent to be excused until he returns. No objections. So ordered.

MOTIONS - Approve Appointments

Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointments found on page 1498: Nebraska Advisory Commission on Compulsive Gambling - Jerry Bauerkemper, Thomas L. Nutt, and Judy Streeks.

Senator Chambers requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointments found on page 1498: Nebraska Advisory Commission on Compulsive Gambling - Jerry Bauerkemper and Thomas L. Nutt.

Voting in the affirmative, 26:

Aguilar	Baker	Bohlke	Bruning	Byars
Crosby	Dickey	Dierks	Engel	Hudkins
Janssen	Jensen	Landis	Lynch	Matzke
Pedersen, Dw.	Pederson, D.	Price	Quandahl	Redfield

Schmitt Stuhr Thompson Tyson Wehrbein
Wickersham

Voting in the negative, 2:

Chambers Hilgert

Present and not voting, 18:

Bourne Brashear Bromm Brown Coordsen
Cudaback Hartnett Jones Kiel Kremer
Kristensen Preister Raikes Schimek Schrock
Smith Suttle Vrtiska

Excused and not voting, 3:

Beutler Connealy Robak

The appointments were confirmed with 26 ayes, 2 nays, 18 present and not voting, and 3 excused and not voting.

The second division is as follows:
Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointment found on page 1498: Nebraska Advisory Commission on Compulsive Gambling - Judy Streeks.

Voting in the affirmative, 27:

Aguilar Baker Bohlke Bruning Byars
Chambers Crosby Dierks Engel Hartnett
Hudkins Janssen Jones Landis Matzke
Pedersen, Dw. Pederson, D. Price Quandahl Redfield
Schimek Schmitt Smith Suttle Thompson
Tyson Wehrbein

Voting in the negative, 0.

Present and not voting, 19:

Bourne Brashear Bromm Brown Coordsen
Cudaback Dickey Hilgert Jensen Kiel
Kremer Kristensen Lynch Preister Raikes
Schrock Stuhr Vrtiska Wickersham

Excused and not voting, 3:

Beutler Connealy Robak

The appointment was confirmed with 27 ayes, 0 nays, 19 present and not

voting, and 3 excused and not voting.

Senator Janssen moved the adoption of the report of the General Affairs Committee for the following appointment found on page 1499: Nebraska Arts Council - Thompson Rogers.

Voting in the affirmative, 30:

Aguilar Baker Bohlke Bromm Bruning
Byars Crosby Dickey Dierks Engel
Hartnett Hudkins Janssen Jones Kremer
Landis Lynch Matzke Pedersen, Dw. Pederson, D.
Preister Price Quandahl Raikes Redfield
Schimek Schmitt Smith Thompson Tyson

Voting in the negative, 1:

Chambers

Present and not voting, 15:

Bourne Brashear Brown Coordsen Cudaback
Hilgert Jensen Kiel Kristensen Schrock
Stuhr Suttle Vrtiska Wehrbein Wickersham

Excused and not voting, 3:

Beutler Connealy Robak

The appointment was confirmed with 30 ayes, 1 nay, 15 present and not voting, and 3 excused and not voting.

Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointments found on page 1659: Nebraska Information Technology Commission - H. H. "Hod" Kosman and Pamela Vanlandingham.

Senator Chambers requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:
Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointment found on page 1659: Nebraska Information Technology Commission - Pamela Vanlandingham.

Voting in the affirmative, 32:

Aguilar Baker Brashear Bromm Bruning
Byars Chambers Connealy Coordsen Crosby
Dierks Engel Jones Kremer Landis
Matzke Pedersen, Dw. Pederson, D. Preister Price
Quandahl Raikes Redfield Schimek Schmitt
Schrock Smith Stuhr Suttle Thompson
Tyson Wickersham

Voting in the negative, 0.

Present and not voting, 15:

Bohlke Bourne Brown Cudaback Dickey
Hartnett Hilgert Hudkins Janssen Jensen
Kiel Kristensen Lynch Vrtiska Wehrbein

Excused and not voting, 2:

Beutler Robak

The appointment was confirmed with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

The second division is as follows:
Senator Bromm moved the adoption of the report of the Transportation and Telecommunications Committee for the following appointment found on page 1659: Nebraska Information Technology Commission - H. H. "Hod" Kosman.

Voting in the affirmative, 31:

Aguilar Baker Brashear Bromm Bruning
Byars Connealy Coordsen Crosby Dickey
Dierks Engel Hartnett Hudkins Jones
Kremer Landis Matzke Pedersen, Dw. Pederson, D.
Preister Quandahl Raikes Redfield Schimek
Schrock Smith Stuhr Suttle Thompson
Tyson

Voting in the negative, 1:

Chambers

Present and not voting, 15:

Bohlke Bourne Brown Cudaback Hilgert
Janssen Jensen Kiel Kristensen Lynch
Price Schmitt Vrtiska Wehrbein Wickersham

Excused and not voting, 2:

Beutler Robak

The appointment was confirmed with 31 ayes, 1 nay, 15 present and not voting, and 2 excused and not voting.

Senator Lynch asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Dierks moved the adoption of the report of the Agriculture Committee for the following appointment found on page 1683: Dry Bean Commission - David Howell.

Voting in the affirmative, 32:

Baker Brashear Brown Bruning Byars
Connealy Crosby Dierks Engel Hartnett
Hilgert Hudkins Janssen Jensen Kremer
Landis Matzke Pedersen, Dw. Preister Price
Quandahl Raikes Redfield Schimek Schmitt
Smith Stuhr Suttle Thompson Tyson
Wehrbein Wickersham

Voting in the negative, 1:

Chambers

Present and not voting, 13:

Aguilar Bohlke Bourne Bromm Coordsen
Cudaback Dickey Jones Kiel Kristensen
Pederson, D. Schrock Vrtiska

Excused and not voting, 3:

Beutler Lynch Robak

The appointment was confirmed with 32 ayes, 1 nay, 13 present and not voting, and 3 excused and not voting.

Senator Schimek moved the adoption of the report of the Government, Military and Veterans Affairs Committee for the following appointments found on page 1683: Nebraska Accountability and Disclosure Commission - Napoleon Agonor, Marilee Fredrickson, and Nancy Reckewey.

Voting in the affirmative, 31:

Baker Bromm Brown Bruning Byars

Chambers
Crosby
Dickey
Dierks
Engel
Hartnett
Hilgert
Janssen
Jensen
Kremer
Landis
Matzke
Pedersen, Dw.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schmitt
Smith
Stuhr
Suttle
Tyson
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 15:

Aguilar
Bohlke
Bourne
Brashear
Connealy
Coordsen
Cudaback
Hudkins
Jones
Kiel
Kristensen
Pederson, D.
Schrock
Thompson
Vrtiska

Excused and not voting, 3:

Beutler
Lynch
Robak

The appointments were confirmed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Hartnett asked unanimous consent to be excused until he returns. No objections. So ordered.

Senator Jensen moved the adoption of the report of the Health and Human Services Committee for the following appointments found on page 1733: Board of Emergency Medical Services - Katherine Vasa; and State Foster Care Review Board - Linda Lund, Sheila Heieck, Burrell Williams, Carole Douglas, and Susan Gilmore.

Voting in the affirmative, 27:

Aguilar
Brashear
Bruning
Byars
Chambers
Connealy
Crosby
Dickey
Dierks
Engel
Hudkins
Janssen
Jensen
Jones
Kremer
Matzke
Pedersen, Dw.
Price
Quandahl
Raikes
Redfield
Schmitt
Stuhr
Suttle
Tyson
Wehrbein
Wickersham

Voting in the negative, 0.

Present and not voting, 18:

Baker
Bohlke
Bourne
Bromm
Brown
Coordsen
Cudaback
Hilgert
Kiel
Kristensen
Landis
Pederson, D.
Preister
Schimek
Schrock
Smith
Thompson
Vrtiska

Excused and not voting, 4:

Beutler	Hartnett	Lynch	Robak

The appointments were confirmed with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on April 12, 2000, at 11:40 a.m., were the following: LBs 659, 659A, 819, 819A, 925, 925A, 932e, 972e, 972A, 1021, 1025, 1025A, 1101, 1101A, 1107A, 1115e, 1116, 1223, 1223A, 1279e, 1361, 1410e, 1410Ae, and 1213.

(Signed) Diana Bridges
Clerk of the Legislature's Office

VISITORS

Visitors to the Chamber were 100 juniors, seniors, and teacher from Beatrice High School; 21 fourth grade students and teacher from Humphrey St. Francis School; 53 fourth grade students and teachers from Meadows Elementary School, Omaha; 50 students and teachers from West Point Central Catholic High School; 31 fourth grade students and teachers from Anderson Grove Elementary School, Omaha; and Jodi Rumbeck and Meg Cuca from Lincoln.

RECESS

At 11:55 a.m., on a motion by Senator Smith, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Maurstad presiding.

ROLL CALL

The roll was called and all members were present except Senators Coordsen, Dickey, Jones, Landis, Robak, and Wickersham who were excused until they arrive.

RESOLUTIONS

LEGISLATIVE RESOLUTION 496. Read. Considered.

LR 496 was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

LEGISLATIVE RESOLUTION 501. Read. Considered.

LR 501 was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

LEGISLATIVE RESOLUTION 502. Read. Considered.

LR 502 was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

LEGISLATIVE RESOLUTION 504. Introduced by Stuhr, 24.

WHEREAS, the Heartland Community School's Future Business Leaders of America (FBLA) members won fifty-one state awards on April 6-9, 2000, in the Nebraska State Competition; and

WHEREAS, the Heartland Community School's FBLA competed with over 1,600 students from 100 schools of all classes across Nebraska; and

WHEREAS, seven members, Andrew Watt, Adam Eck, Kami Hoffman, Matt Regier, Kristi Zierott, Tom Crosby, and Shay Graves, have earned the right to compete in the national competition in Long Beach, California, this summer; and

WHEREAS, the team members as well as Business Instructor Ken Schultz deserve special recognition for the teamwork, knowledge, and keen business sense they have displayed throughout the year, which has contributed to the team's success.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE NINETY-SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and congratulates the members of the Heartland Community School's Future Business Leaders of America and their advisor, Ken Schultz.
2. That a copy of this resolution be sent to the Heartland Community School's Future Business Leaders of America and their advisor, Ken Schultz.

MOTION - Suspend Rules

Senator Hudkins moved to suspend the rules, Rule 4, Sec. 6, to permit consideration of LR 504.

The Hudkins motion to suspend the rules prevailed with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 504. Read. Considered.

LR 504 was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

MOTION - Override Veto on LB 956

Senator Kristensen moved to override the Governor's veto of LB 956.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 45:

Aguilar
Baker
Beutler
Bohlke
Bourne
Brashear
Bromm
Brown
Bruning
Byars
Chambers
Connealy
Coordsen
Cudaback
Dickey
Dierks
Engel
Hartnett
Hudkins
Janssen
Jensen
Jones
Kiel
Kremer
Kristensen
Landis
Lynch
Matzke
Pedersen, Dw.
Pederson, D.
Preister
Price
Quandahl
Raikes
Redfield
Schimek
Schrock
Smith
Stuhr
Suttle
Thompson
Tyson
Vrtiska
Wehrbein
Wickersham

Voting in the negative, 1:

Crosby

Present and not voting, 2:

Hilgert
Schmitt

Excused and not voting, 1:

Robak

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 496, 499, 501, 502, and 504.

MOTION - Override Line-Item Veto on LB 1399A

Senator Thompson moved to override the Governor's line-item veto of LB 1399A.

Senator Thompson withdrew her motion to override.

COMMUNICATION

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB 956 with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB 956, notwithstanding the objections of the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk
Enc.

CERTIFICATE

Legislative Bill 956, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, it has become law this 12th day of April 2000.

(Signed) David I. Maurstad
President of the Legislature

COMMUNICATIONS

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 171, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell

Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 1401, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 1401A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor

Johanns of LB 414, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the veto by Governor Johanns of LB 414A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Johanns of LB 1363A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol

Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Johanns of LB 957A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Johanns of LB 1008, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Scott Moore
Secretary of State
2300 State Capitol
Lincoln, NE 68509

Dear Mr. Moore:

Inasmuch as the Legislature did not override the line-item vetoes by Governor Johanns of LB 1399A, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk

April 12, 2000

The Honorable Donald Stenberg
Attorney General
2115 State Capitol
Lincoln, NE 68509

Dear Mr. Stenberg:

Enclosed, please find a copy of LR 499, which was adopted by the Legislature on April 12, 2000. As set forth in the resolution, the Legislature is requesting that you prepare and file the appropriate action to obtain compliance by Judge Silverman with Section 29-1401, or provide a declaratory judgment that would determine the validity of Section 29-1401.

Please feel free to contact me should you have any questions.

Sincerely,
(Signed) Patrick J. O'Donnell
Clerk of the Legislature

PJO:jk
Enc.

MESSAGE FROM THE SECRETARY OF STATE

April 12, 2000

Mr. Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

This is a letter to acknowledge I have received on April 3, 2000, LB 1217, your cover letter dated April 3, 2000 and a Certificate signed by David I. Maurstad, President of the Legislature, the contents of which are as follows:

Legislative Bill 1217, having been returned by the Governor with his signature, but with certain items therein line-item vetoed, the Legislature by Constitutional majority has overridden said line-item vetoes, as follows:

1. The following sections for Mental Health provider rates:
   a. Section 19, program 34 Alcohol/Drug Addiction Aid
   b. Section 21, program 347 Public Assistance
   c. Section 22, program 348 Medical Assistance
   d. Section 23, program 366 Community Mental Health--Aid

2. Section 24, for Region VI Hospital reimbursement, MH services.

Furthermore, I hereby acknowledge that LB 1217, cover letter, certificate, and a copy of the Governor's message have all been filed in this office as a matter of record.

Sincerely
(Signed) Scott Moore
Secretary of State

dk

CERTIFICATE

STATE OF NEBRASKA

United States of America,)
) ss. Department of State
State of Nebraska)

I, Scott Moore, Secretary of State of the State of Nebraska do hereby certify that Legislative Bill 1217, having been returned by the Governor with his signature, but with certain items therein line-item vetoed, the Legislature by Constitutional majority has overridden said line-item vetoes, as follows:

1. The following sections for Mental Health provider rates:
   a. Section 19, program 34 Alcohol/Drug Addiction Aid
   b. Section 21, program 347 Public Assistance
   c. Section 22, program 348 Medical Assistance
   d. Section 23, program 366 Community Mental Health--Aid

2. Section 24, for Region VI Hospital reimbursement, MH services.

Further, I hereby certify that LB 1217 was filed in the office of the Secretary of State on April 3, 2000, along with the cover letter from the Clerk, the certificate of David I. Maurstad, President of the Legislature, and a copy of the Governor's message.

Finally, I hereby certify that all documents herein certified to have been filed in the office of the Secretary of State and made a matter of public record.

NOTHING FURTHER IS CERTIFIED

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska.

Done at Lincoln this twelfth day of April in the year of our Lord, two thousand.

(SEAL) Scott Moore, Secretary of State

VISITORS

The Doctor of the Day was Dr. Rob Rhodes from Lincoln.

MOTION - Notify Governor

Senator Kiel moved that a committee of five be appointed to notify the Governor that the Ninety-Sixth Legislature, Second Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Landis, Brown, Raikes, D. Pederson, and Wehrbein to serve on said committee.

The committee returned and escorted Governor Mike Johanns to the rostrum where he delivered a message to the members.

The committee escorted the Governor from the Chamber.

MOTION - Disposition of Bills

Senator Schmitt moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed. Further, that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

MOTION - Journal, Session Laws, and Indexes

Senator Bohlke moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell, and that he be directed to send to each member of the Legislature a copy of the loose-leaf session laws and of the permanent Journal and Session Laws.

The motion prevailed.

MOTION - Adjourn Sine Die

Senator Crosby moved that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved and that the Ninety-Sixth Legislature, Second Session of the Nebraska Legislature, having finished all business before it, now at 3:12 p.m., adjourn sine die.

The motion prevailed.

Patrick J. O'Donnell
Clerk of the Legislature

RECEIVED AFTER ADJOURNMENT

LEGISLATIVE JOURNAL

NINETY-SIXTH LEGISLATURE SECOND SESSION

MESSAGE FROM THE GOVERNOR

April 13, 2000

Mr. President, Mr. Speaker,
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 925 and LB 925A without my signature and with my objections.

As you know, my hesitation to propose or support any new child care initiatives that have a fiscal impact this year has been occasioned by the very tight financial situation we currently face. A business tax credit for providing or subsidizing child care for employees fits within the recommendations of the report issued by my Business Council on Child Care Financing. Although I had hoped that we would take a more comprehensive look at options for child care financing in the context of the next legislative session, I would have been inclined to sign the bill if it had contained the business credit alone and had proved feasible under the financial picture presented by this year's overall legislative package. With the addition, however, of the LB 914 provisions, I am unable to approve the bill. Extending the time for welfare parents to stay home after the birth of their child from twelve weeks to twelve months before going to work or to job training is not consistent with either Nebraska's goal to break the welfare cycle or with the type of maternity leave provided to the majority of Nebraska working families. To the contrary, LB 925 turns back the clock on Nebraska's welfare reform efforts.

I look forward to working with you further to evaluate viable options for child care financing for Nebraska.

Sincerely,
(Signed) Mike Johanns
Governor

April 13, 2000

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 659, 659A 819, 819A, 932, 972, 972A, 1021, 1025, 1025A, 1101, 1101A, 1107A, 1115, 1116, 1223, 1223A, 1279, 1361, 1410, 1410A, and 1213 were received in my office on April 12, 2000.

These bills were signed by me on April 13, 2000, and delivered to the Secretary of State.

Sincerely,
(Signed) Mike Johanns
Governor

REPORTS

The following reports were received by the Legislature:

Investment Finance Authority, Nebraska (NIFA)

Single Family Housing Revenue Bonds Series 1998 CDE&F and General Obligation Bonds Series 1998 G.O.-3

Single Family Housing Revenue Bonds Series 1999 D and General Obligation Bonds Series 1999 G.O.-6

Single Family Housing Revenue Bonds Series 1999 E and General Obligation Bonds Series 1999 G.O.-8

CERTIFICATE

I, Patrick J. O'Donnell, Clerk of the Legislature, hereby certify that the foregoing communications are true and correct copies of letters provided concerning action on bills after adjournment of the Ninety-Sixth Legislature, Second Session, and other correspondence.

Patrick J. O'Donnell
Clerk of the Legislature

April 17, 2000
Lincoln, Nebraska

INDEXES FOR

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NINETY-SIXTH LEGISLATURE

SECOND SESSION

2000

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Compiled by

PATRICK J. O'DONNELL

Clerk of the Legislature

CHRONOLOGY OF BILLS

NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

LEGISLATIVE BILL 16. By Coordsen

Jan. 5	Title	4
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 25. By Lynch

Jan. 5	Title	4
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 26. By Lynch

Jan. 5	Title	4
Feb. 7	Placed on General File - Com AM1984	564
Feb. 22	Speaker priority bill	760
Mar. 30	Com AM1984 p. 564 adopted. Advanced for Review	1465
Apr. 3	Placed on Select File - AM7254	1493
Apr. 3	Suttle explanation of vote	1498
Apr. 5	Bromm AM3255 to AM7254 printed	1618
Apr. 6	AM7254 (E & R) p. 1493 adopted. Bromm pending AM3255 p. 1618 adopted. Advanced for Engrossment	1635
Apr. 6	Correctly Engrossed	1644
Apr. 11	Motion to return to Select File for Bromm specific FA406 withdrawn	1702
Apr. 11	Final Reading 36-7-6	1702
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 26A. By Lynch

Feb. 23	Read first time. Placed on General File	777
Mar. 30	Advanced for Review	1465
Apr. 3	Placed on Select File	1494
Apr. 6	Advanced for Engrossment	1635
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 40-2-7	1703
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 27. By Lynch

Jan. 5	Title	4
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 29. By Coordsen, Bromm, Matzke, Dw. Pedersen, C. Peterson, Thompson

Jan. 5	Title	4
Jan. 19	Chambers FA266 and FA267 printed	333
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 30. By Kristensen

Jan. 5	Title	4
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 38. By Coordsen

Jan. 5	Title	4
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 39. By Brashear, Bruning

Jan. 5	Title	4
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 42. By Brashear

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 44. By Brashear, Chambers

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 45. By Brashear

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 52. By Brashear, Redfield

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 55. By Brashear

Jan. 5	Title	5
Jan. 24	Com AM668 p. 859, First Session, adopted as amended by Brashear AM2105. Advanced for Review	411
Jan. 25	Placed on Select File - AM7180	414

Feb. 3	AM7180 (E & R) p. 414 adopted. Advanced for Engrossment	549
Feb. 8	Correctly Engrossed	577
Feb. 10	Final Reading 43-0-6	617
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	632
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 63. By Landis

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 69. By Chambers

Jan. 5	Title	5
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 70. By Chambers

Jan. 5	Title	6
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 74. By Chambers

Jan. 5	Title	6
Feb. 7	Com AM740 p. 950, First Session, pending	571
Feb. 8	Com AM740 p. 950, First Session, adopted. Beutler AM2315 adopted. Advanced for Review	579
Feb. 9	Placed on Select File - AM7188	613
Feb. 24	AM7188 (E & R) p. 613 adopted. Advanced for Engrossment	785
Feb. 28	Correctly Engrossed	840
Mar. 10	Final Reading 40-0-9	1005
Mar. 13	President signed	1027
Mar. 13	Presented to Governor (3/13)	1030
Mar. 16	Approved by Governor (3/16)	1148

LEGISLATIVE BILL 75. By Chambers

Jan. 5	Title	6
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 79. By Bruning

Jan. 5	Title	6
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 80. By Bruning, Dw. Pedersen, Cudaback

Jan. 5	Title	6
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 93. By Redfield

Jan. 5	Title	6
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 94. By Engel

Jan. 5	Title	6
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 96. By Schellpeper, Cudaback, Vrtiska, Matzke, Coordsen

Jan. 5	Title	6
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 98. By Schimek, Bohlke, Bromm, Crosby, Dierks, Hilgert, Hudkins, Jones, Matzke, Dw. Pedersen, Preister, Stuhr, Byars, Vrtiska

Jan. 5	Title	7
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 108. By Schimek, Preister, Suttle

Jan. 5	Title	7
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 110. By Dw. Pedersen

Jan. 5	Title	7
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 111. By Crosby, Dierks, Engel, Jones, Redfield, Smith, Bruning, Quandahl, Dw. Pedersen

Jan. 5	Title	7
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 114. By Cudaback, Vrtiska

Jan. 5	Title	7
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 116. By Schimek, Bromm, Dierks, Preister

Jan. 5	Title	7
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 120. By Crosby, Dw. Pedersen, Brown, Vrtiska, Price

Jan. 5	Title	7
Jan. 24	Com AM173 p. 859, First Session, pending	411
Jan. 24	D. Pederson AM927 printed	412
Jan. 25	Com AM173 p. 859, First Session, pending	417
Jan. 25	Chambers FA270 to Com AM173 lost. Chambers motion to reconsider vote on FA270 pending	422
Jan. 25	Chambers FA271 to Com AM173 printed	425
Jan. 27	Chambers pending motion p. 423 to reconsider vote on FA270 p. 422 withdrawn. Chambers FA271 p. 425 withdrawn. Com AM173 p. 859, First Session, lost. D. Pederson AM927 p. 412 withdrawn. Beutler-Brashear AM2154 pending. Chambers FA273 to AM2154 pending. Bromm unanimous consent to bracket until 2/17/2000. No objections	465
Jan. 27	Beutler AM2145 printed	471
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 124. By Schimek, Wehrbein

Jan. 5	Title	8
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 126. By Schellpeper, Bromm, Brown, Cudaback, Jones, Landis, Dw. Pedersen, Schimek, Suttle, Vrtiska, Wehrbein, Jensen

Jan. 5	Title	8
Jan. 6	Quandahl name added	163
Jan. 25	Quandahl AM2014 printed	424
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 130. By Tyson, Suttle

Jan. 5	Title	8
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 133. By Tyson

Jan. 5	Title	8
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 138. By Schimek, Janssen, Lynch, Preister, Suttle, Thompson

Jan. 5	Title	8
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 151. By Thompson

Jan. 5	Title	8
Jan. 21	Advanced for Review	382
Jan. 25	Placed on Select File - AM7179	414
Feb. 3	AM7179 (E & R) p. 414 adopted. Advanced for Engrossment	549
Feb. 8	Correctly Engrossed	577
Feb. 10	Final Reading w/E 44-0-5	617
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	632
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 153. By Thompson

Jan. 5	Title	8
Jan. 19	Com AM449 p. 759, First Session, adopted. Thompson AM1952 adopted. Advanced for Review	326
Jan. 21	Placed on Select File - AM7168	381
Jan. 24	Thompson AM2100 printed	409
Jan. 26	AM7168 (E & R) p. 381 adopted. Thompson pending AM2100 p. 409 adopted. Advanced for Engrossment	446
Jan. 28	Correctly Engrossed	475
Apr. 4	Final Reading w/E 45-0-4	1561
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 153A. By Thompson

Jan. 5	Title	9
Jan. 19	Advanced for Review	326
Jan. 21	Placed on Select File - AM7169	381
Jan. 26	AM7169 (E & R) p. 381 adopted. Thompson AM2136 adopted. Advanced for Engrossment	447
Jan. 28	Correctly Engrossed	475
Apr. 4	Final Reading w/E 44-0-5	1562
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 154. By Kristensen

Jan. 5	Title	9
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 155. By Lynch

Jan. 5	Title	9
Jan. 18	Placed on General File - Com AM1955	307
Jan. 31	Kiel priority bill	505
Feb. 11	Com AM1955 p. 307 adopted. Advanced for Review	642
Feb. 11	Kiel name added	654
Feb. 15	Placed on Select File - AM7199 (printed separate)	703
Feb. 24	Bromm AM2549 to AM7199 printed	797
Mar. 9	AM7199 (E & R) (printed separate) adopted. Bromm AM2549 p. 797 withdrawn. Advanced for Engrossment	976
Mar. 13	Correctly Engrossed	1045
Mar. 16	Dispensing of reading at large approved. Final Reading w/E 42-0-7	1111
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 156. By Tyson

Jan. 5	Title	9
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 159. By Bruning

Jan. 5	Title	9
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 160. By Brown, Brashear, Bromm, Coordsen, Raikes, Wehrbein

Jan. 5	Title	9
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 169. By Wickersham

Jan. 5	Title	9
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 171. By Kristensen

Jan. 5	Title	10
Jan. 27	Placed on General File - Com AM2103	470
Feb. 17	Jones priority bill	719
Mar. 8	Com AM2103 p. 470 adopted	947
Mar. 8	Jones name added	958
Mar. 9	Advanced for Review	966
Mar. 9	Beutler FA313 to Com AM2103 printed	973
Mar. 13	Placed on Select File – AM7228	1043

Mar. 16	Beutler AM2906 and AM2912 to Com AM2103 printed	1136
Mar. 16	Wickersham AM2922 to Com AM2103 printed	1139
Mar. 22	AM7228 (E & R) p. 1043 adopted. Beutler FA313 p. 973 withdrawn. Wickersham pending AM2922 p. 1139 lost. Janssen AM2992 withdrawn. Beutler pending AM2906 p. 1136 pending	1208
Mar. 22	Beutler pending AM2906 p. 1136 adopted as amended by Kristensen FA340. Beutler AM2912 p. 1136 withdrawn. Advanced for Engrossment	1219
Mar. 23	Correctly Engrossed	1256
Mar. 23	ER9142 change	1257
Apr. 4	Coordsen AM3270 printed	1552
Apr. 6	Motion to return to Select File for Wickersham specific FA370 withdrawn. Coordsen AM3270 p. 1552 withdrawn. Motion to return to Select File for Kristensen specific FA396 withdrawn	1626
Apr. 6	Final Reading 25-21-3	1626
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Returned by Governor without approval (4/10)	1670
Apr. 12	Communication	1779

LEGISLATIVE BILL 173. By Dierks, Cudaback, Hudkins, Jones, Schellpeper, Schmitt, Stuhr, Tyson, Vrtiska

Jan. 5	Title	10
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 174. By Hilgert

Jan. 5	Title	10
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 174A. By Hilgert

Jan. 5	Title	10
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 175. By Hilgert

Jan. 5	Title	10
Jan. 7	Quandahl name added	176
Jan. 20	Quandahl AM2065 printed	364
Jan. 27	Chambers unanimous consent to bracket until 3/15/2000. Hilgert objected. Chambers motion to bracket until 3/15/2000 failed. Chair sustained request for division of question on Com AM648 p. 860, First Session. Com FA274 (1st) pending	468

Jan. 28	Com FA274 (1st) p. 470 adopted as amended by Chambers FA277. Com FA275 (2nd) pending. Chambers FA278 to Com FA275 (2nd) lost. Chambers motion to reconsider vote on FA278 failed. Chambers motion to bracket until 3/25/2000 failed	485
Jan. 31	Com FA275 (2nd) p. 486 pending. Chambers motion to bracket until 3/25/2000 failed	496
Jan. 31	Chambers motion to reconsider vote on motion to bracket until 3/25/2000 failed	501
Jan. 31	Chambers FA279 to Com FA275 (2nd) lost. Chambers motion to reconsider vote on FA279 failed	503
Jan. 31	Chambers FA280 to Com FA275 (2nd) lost. Chambers motion to reconsider vote on FA280 failed	504
Feb. 1	Chambers FA281 to Com FA275 (2nd) withdrawn. Chambers FA282 to Chambers motion to bracket until 3/31/2000 pending	509
Feb. 1	Chambers pending FA282 p. 510 lost. Chambers pending motion p. 510 to bracket until 3/31/2000 failed. Chambers motion to reconsider vote on motion to bracket until 3/31/2000 failed. Chambers FA283 to Com FA275 (2nd) lost	510
Feb. 1	Chambers motion to reconsider vote on FA283 p. 511 failed. Hilgert motion to invoke cloture prevailed. Balance of Com FA275 (2nd) p. 486 and Com FA276 (3rd) adopted. (Com AM648 adopted in its entirety.) Advanced for Review	514
Feb. 1	Hilgert AM2204 to Com FA276 (3rd) printed	517
Feb. 2	Correction	519
Feb. 2	Hilgert motion to vote on advancement of bill printed	530
Feb. 3	Placed on Select File - AM7181	551
Feb. 7	Bourne AM2269 to AM7181 printed	560
Feb. 22	Hilgert AM2271 to AM7181 printed	757
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 177. By Jensen, Hilgert

Jan. 5	Title	10
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 182. By Beutler, Bohlke, Preister, Schimek, Suttle, Wickersham

Jan. 5	Title	10
Jan. 20	Pending	363

Jan. 21	Com AM671 p. 855, First Session, adopted as amended. Chair sustained request for division of question on Beutler AM2085 to Com AM671. Beutler FA268 (1st) and FA269 (2nd) to Com AM671 adopted. Failed to advance for Review	371
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 183. By Cudaback, Baker

Jan. 5	Title	11
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 185. By Bromm, Engel, Jensen, Jones, Tyson, at the request of the Governor

Jan. 5	Title	11
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 186. By Bromm, Engel, Jensen, Jones, C. Peterson, Tyson, at the request of the Governor

Jan. 5	Title	11
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 187. By Kristensen, Cudaback, Hartnett, Lynch, Wehrbein

Jan. 5	Title	11
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 188. By Thompson, Bromm, Dw. Pedersen, C. Peterson

Jan. 5	Title	11
Jan. 21	Placed on General File - Com AM1985 (printed separate)	374
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 189. By Thompson

Jan. 5	Title	12
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 190. By Dw. Pedersen

Jan. 5	Title	12
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 193. By C. Peterson, Dierks, Kremer, Dw. Pedersen, Schmitt, Tyson

Jan. 5	Title	12
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 201. By Dw. Pedersen

Jan. 5	Title	12
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 204. By Schmitt, Chambers

Jan. 5	Title	12
Feb. 7	Chambers FA286 adopted. Advanced for Review	563
Feb. 8	Placed on Select File - AM7187	595
Feb. 10	AM7187 (E & R) p. 595 adopted. Advanced for Engrossment	631
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading 39-1-9	733
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 206. By Schmitt

Jan. 5	Title	12
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 207. By Schmitt

Jan. 5	Title	12
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 209. By Schmitt, Dierks

Jan. 5	Title	12
Jan. 19	Indefinitely postponed	320

LEGISLATIVE BILL 210. By Schmitt

Jan. 5	Title	13
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 213. By Schmitt

Jan. 5	Title	13
Jan. 26	Placed on General File - Com AM2068	449
Feb. 10	Schmitt priority bill	632
Feb. 11	Dierks AM2380 printed	642

Mar. 7	Com AM2068 p. 449 adopted. Dierks pending AM2380 p. 642 adopted. Advanced for Review	936
Mar. 13	Placed on Select File - AM7222 (printed separate)	1039
Mar. 16	AM7222 (E & R) (printed separate) adopted. Advanced for Engrossment	1121
Mar. 21	Correctly Engrossed	1155
Mar. 24	Dispensing of reading at large approved. Final Reading w/E 46-0-3	1279
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

(Provisions/portions of LB 1009 amended into LB 213 by AM2380)
(Provisions/portions of LB 1052 amended into LB 213 by AM2380)

LEGISLATIVE BILL 219. By Suttle, Lynch

Jan. 5	Title	13
Feb. 1	Indefinitely postponed	509

(Provisions/portions of LB 219 amended into LB 922 by Com AM2081)

LEGISLATIVE BILL 220. By Suttle

Jan. 5	Title	13
Jan. 19	Placed on General File - Com AM2013	320
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 222. By Suttle

Jan. 5	Title	13
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 223. By Suttle, Connealy, Crosby, Kiel, Dw. Pedersen, C. Peterson, Thompson

Jan. 5	Title	13
Mar. 9	Placed on General File - Com AM2061	977
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 223 amended into LB 1167 by AM2915)

LEGISLATIVE BILL 224. By Hilgert

Jan. 5	Title	13
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 225. By Hilgert

Jan. 5	Title	14
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 230. By Bromm

Jan. 5	Title	14
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 233. By Beutler

Jan. 5	Title	14
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 235. By Crosby, Chambers, Dierks, Hudkins, Jensen, Preister, Schrock, Vrtiska, Wehrbein, Suttle, Redfield, Bromm, Jones

Jan. 5	Title	14
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 237. By Jensen, Bruning

Jan. 5	Title	14
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 239. By Wehrbein

Jan. 5	Title	14
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 245. By Janssen, Tyson

Jan. 5	Title	14
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 249. By Wehrbein

Jan. 5	Title	15
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 252. By Wehrbein, Cudaback

Jan. 5	Title	15
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 254. By Kristensen

Jan. 5	Title	15
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 256. By Kiel

Jan. 5	Title	15
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 263. By Dw. Pedersen, Byars, Crosby, Dierks, Engel, Hilgert, Jensen, Jones, Quandahl, Smith, Tyson, Vrtiska, Wehrbein, Bruning

Jan. 5	Title	15
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 264. By Cudaback

Jan. 5	Title	15
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 265. By Wickersham, Janssen, Jones, Matzke, Vrtiska

Jan. 5	Title	15
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 274. By Jones, Baker, Bourne, Byars, Coordsen, Hudkins, Kremer, Landis, C. Peterson, Schellpeper, Wickersham, Jensen, Tyson, Bruning

Jan. 5	Title	16
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 275. By Jones

Jan. 5	Title	16
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 281. By Schellpeper

Jan. 5	Title	16
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 282. By Stuhr, Bromm, Coordsen, Raikes, Wehrbein

Jan. 5	Title	16
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 283. By Jones

Jan. 5	Title	16
Jan. 24	Indefinitely postponed	397

LEGISLATIVE BILL 286. By Jones

Jan. 5	Title	16
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 288. By Engel, Bromm, Matzke, Dw. Pedersen, D. Pederson

Jan. 5	Title	17
Jan. 19	Com AM169 p. 760, First Session, adopted. Advanced for Review	326
Jan. 21	Placed on Select File - AM7166	381
Jan. 26	AM7166 (E & R) p. 381 adopted. Advanced for Engrossment	447
Jan. 28	Correctly Engrossed	475
Feb. 10	Final Reading 44-0-5	618
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	632
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 289. By Schellpeper, Cudaback, Vrtiska

Jan. 5	Title	17
Jan. 20	Com AM501 p. 793, First Session, lost. Schimek-Cudaback AM2058 adopted. Advanced for Review	348
Jan. 20	Beutler AM2075 to AM2058 printed	364
Jan. 24	Placed on Select File - AM7175	399
Jan. 26	AM7175 (E & R) p. 399 adopted. Beutler pending AM2075 p. 364 adopted. Advanced for Engrossment	447
Jan. 28	Correctly Engrossed	475
Apr. 4	Final Reading w/E 35-11-3	1562
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1663
Apr. 11	Cudaback motion to override veto withdrawn	1738
Apr. 12	Communication	1745

LEGISLATIVE BILL 289A. By Schellpeper

Jan. 5	Title	17
Jan. 6	Cudaback name added	162
Jan. 20	Advanced for Review	351
Jan. 24	Placed on Select File - AM7176	399
Jan. 26	AM7176 (E & R) p. 399 adopted. Cudaback AM2146 adopted. Advanced for Engrossment	448
Jan. 28	Correctly Engrossed	475
Apr. 4	Final Reading 37-8-4	1563
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1663
Apr. 12	Communication	1746

LEGISLATIVE BILL 300. By C. Peterson, Dierks, Hudkins, Suttle, Thompson

Jan. 5	Title	17
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 302. By C. Peterson, Dierks, Hudkins, Suttle, Thompson, Tyson

Jan. 5	Title	17
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 302A. By C. Peterson

Jan. 5	Title	17
Jan. 19	Dierks name added	341
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 304. By Coordsen

Jan. 5	Title	17
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 305. By Beutler

Jan. 5	Title	18
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 309. By Hudkins

Jan. 5	Title	18
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 310. By Hudkins, Dw. Pedersen

Jan. 5	Title	18
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 312. By Suttle, Brown, Hilgert, Jensen, Kiel, Lynch, Dw. Pedersen, Preister

Jan. 5	Title	18
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 313. By Redfield, Preister, Quandahl, Smith, Suttle, Thompson

Jan. 5	Title	18
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 316. By Brashear

Jan. 5	Title	18
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 321. By Brashear

Jan. 5	Title	18
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 335. By Schrock, Bruning

Jan. 5	Title	19
Jan. 18	Indefinitely postponed	302

LEGISLATIVE BILL 337. By Schrock, Bromm, Cudaback, Hilgert, Robak, Schellpeper

Jan. 5	Title	19
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 338. By C. Peterson, Bohlke, Bruning, Cudaback, Jones, Kremer, Kristensen, Raikes, Schmitt

Jan. 5	Title	19
Jan. 24	Indefinitely postponed	397

LEGISLATIVE BILL 339. By Preister, Kiel, Thompson

Jan. 5	Title	19
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 341. By Wehrbein, Baker, Connealy, Cudaback, Dierks, Hudkins, Janssen, Jones, Kremer, Schellpeper, Schrock, Vrtiska

Jan. 5	Title	19
Feb. 22	Speaker priority bill	760
Apr. 4	Wehrbein-Jones motion to place on General File printed	1556
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 343. By Brown

Jan. 5	Title	19
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 344. By Kiel, Bourne, Bromm, Bruning, Hilgert, Janssen, C. Peterson, Preister, Price, Schrock, Smith, Stuhr, Suttle, Thompson

Jan. 5	Title	20
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 347. By Byars, Crosby, Dierks, Engel, Hudkins, Jones, Lynch, Schellpeper, Schrock, Stuhr

Jan. 5	Title	20
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 349. By Bromm

Jan. 5	Title	20
Feb. 1	Indefinitely postponed	512
Feb. 2	Schimek motion to refer bill back to Government, Military and Veterans Affairs Committee printed	521
Feb. 3	Schimek pending motion p. 521 to refer bill back to Government, Military and Veterans Affairs Committee prevailed	546
Feb. 22	Speaker priority bill	760
Feb. 23	Placed on General File	774
Feb. 25	Bromm AM2551 printed	809
Mar. 30	Bromm pending AM2551 p. 809 adopted. Advanced for Review	1463
Apr. 3	Placed on Select File	1491
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 46-0-3	1703
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 352. By Crosby, Lynch, Dw. Pedersen, Bourne, Bruning

Jan. 5	Title	20
Jan. 25	Placed on General File - Com AM2000	416
Feb. 22	Speaker priority bill	760
Mar. 2	Jensen AM2605 to Com AM2000 printed	882
Mar. 13	Crosby AM2818 printed	1049
Mar. 15	Crosby AM2866 printed	1099
Mar. 16	Pending	1136
Mar. 16	Com AM2000 p. 416 pending. Jensen pending AM2605 p. 882 lost	1143
Mar. 16	Com AM2000 p. 416 lost. Crosby AM2818 p. 1049 withdrawn. Crosby pending AM2866 p. 1099 adopted. Beutler AM2817 adopted. Tyson motion to indefinitely postpone failed. Advanced for Review	1144
Mar. 16	Bruning AM2787 printed	1147
Mar. 21	Placed on Select File - AM7241 (printed separate)	1167
Mar. 24	D. Pederson AM3073 to AM7241 printed	1307
Mar. 27	AM7241 (E & R) (printed separate) adopted. Bruning pending AM2787 p. 1147 and D. Pederson AM3073 p. 1307 adopted. Advanced for Engrossment	1337
Mar. 28	Correctly Engrossed. ER9149 change	1408

Apr. 4	Dispensing of reading at large approved. Final Reading w/E 37-10-2	1559
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 696 amended into LB 352 by AM2787)
(Provisions/portions of LB 1298 amended into LB 352 by AM3073)
(Provisions/portions of LB 1366 amended into LB 352 by AM2817)

LEGISLATIVE BILL 352A. By Crosby

Mar. 15	Read first time. Placed on General File	1100
Mar. 21	Crosby AM2931 printed	1188
Mar. 22	Crosby pending AM2931 p. 1188 adopted. Advanced for Review	1199
Mar. 22	Placed on Select File	1216
Mar. 27	Advanced for Engrossment	1338
Mar. 28	Correctly Engrossed	1408
Apr. 4	Final Reading w/E 39-7-3	1560
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 353. By Price

Jan. 5	Title	20
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 354. By Price

Jan. 5	Title	20
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 356. By Byars

Jan. 5	Title	21
Jan. 11	Passed over	235
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 358. By Coordsen

Jan. 5	Title	21
Feb. 25	Placed on General File - Com AM2528	810
Feb. 28	Wickersham name added	841
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 361. By Bohlke

Jan. 5	Title	21
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 364. By Schellpeper, Coordsen, Hartnett, Wickersham

Jan. 5	Title	21
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 365. By Wickersham, Coordsen, Hartnett, Schellpeper

Jan. 5	Title	21
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 367. By Schimek

Jan. 5	Title	21
Jan. 20	Com AM615 p. 843, First Session, adopted. Advanced for Review	359
Jan. 24	Placed on Select File - AM7178	402
Jan. 27	Kremer AM2143 to Com AM615 printed	463
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 370. By Lynch

Jan. 5	Title	21
Mar. 23	Indefinitely postponed	1232

LEGISLATIVE BILL 371. By Lynch

Jan. 5	Title	22
Mar. 23	Indefinitely postponed	1232

LEGISLATIVE BILL 374. By Thompson

Jan. 5	Title	22
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 376. By Thompson

Jan. 5	Title	22
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 383. By Wickersham, Coordsen, Landis, C. Peterson, Schellpeper

Jan. 5	Title	22
Jan. 7	Wickersham AM1951 to Com AM428 printed	175
Jan. 11	Brashear AM2023, AM2025, and AM2024 to Com AM428 printed	242
Jan. 18	Com AM428 p. 658, First Session, pending. Wickersham AM1951 p. 175 lost	298

Jan. 18	Brashear AM2023, AM2025, and AM2024 p. 242 withdrawn. Com AM428 p. 658, First Session, lost. Bohlke motion to indefinitely postpone pending. Laid over	304
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 385. By Bohlke

Jan. 5	Title	22
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 387. By Bohlke

Jan. 5	Title	22
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 388. By Bohlke

Jan. 5	Title	22
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 389. By Schrock, Beutler

Jan. 5	Title	22
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 390. By Natural Resources Committee

Jan. 5	Title	23
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 391. By Landis

Jan. 5	Title	23
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 397. By Landis

Jan. 5	Title	23
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 398. By Cudaback

Jan. 5	Title	23
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 398A. By Cudaback

Jan. 5	Title	23
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 399. By Cudaback

Jan. 5	Title	23
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 400. By Wickersham, Coordsen, Landis, Schellpeper

Jan. 5	Title	23
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 402. By Dierks, Vrtiska

Jan. 5	Title	24
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 406. By Crosby

Jan. 5	Title	24
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 408. By Vrtiska, Byars, Cudaback, Hartnett, Janssen, Matzke, Dw. Pedersen, D. Pederson, Raikes, Schimek

Jan. 5	Title	24
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 409. By Vrtiska, Cudaback

Jan. 5	Title	24
Mar. 2	Com AM972 p. 1255, First Session, pending. Passed over	882
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 410. By Baker, Hudkins, Schmitt

Jan. 5	Title	24
Jan. 19	Com AM366 p. 756, First Session, adopted. Advanced for Review	323
Jan. 21	Placed on Select File - AM7170	381
Jan. 24	Baker AM2096 printed	407
Jan. 24	Thompson-Byars AM2055 printed	410
Jan. 26	AM7170 (E & R) p. 381 adopted. Baker pending AM2096 p. 407 adopted as amended by Thompson AM2130 and Thompson-Byars AM2131. Thompson-Byars AM2055 p. 410 withdrawn. Advanced for Engrossment	445
Jan. 27	Byars and Thompson names added	474
Jan. 28	Correctly Engrossed	475
Feb. 10	Final Reading 45-0-4	619

Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/16)	714

(Provisions/portions of LB 970 amended into LB 410 by AM2130)

LEGISLATIVE BILL 412. By Hilgert

Jan. 5	Title	24
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 414. By Beutler

Jan. 5	Title	24
Jan. 31	Beutler priority bill	495
Feb. 1	Placed on General File - Com AM2008 (printed separate)	508
Feb. 25	Beutler AM2565 printed	813
Mar. 7	Com AM2008 (printed separate) pending. Beutler pending AM2565 p. 813 pending	899
Mar. 7	Com AM2008 (printed separate) adopted as amended by Beutler pending AM2565 p. 813. Advanced for Review	922
Mar. 13	Placed on Select File - AM7224 (printed separate)	1037
Mar. 24	AM7224 (E & R) (printed separate) adopted. Beutler AM2951 to AM7224 adopted. Advanced for Engrossment	1288
Mar. 27	Correctly Engrossed	1313
Apr. 4	Dispensing of reading at large approved	1579
Apr. 4	Final Reading 25-19-5	1580
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1664
Apr. 12	Communication	1781

LEGISLATIVE BILL 414A. By Beutler

Mar. 10	Read first time. Placed on General File	1016
Mar. 14	Advanced for Review	1053
Mar. 14	Placed on Select File	1067
Mar. 24	Beutler AM2998 adopted. Advanced for Engrossment	1288
Mar. 27	Correctly Engrossed	1313
Apr. 4	Final Reading 26-12-11	1581
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1664
Apr. 12	Communication	1781

LEGISLATIVE BILL 415. By Bohlke

Jan. 5	Title	25
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 419. By Coordsen, Baker, Bohlke, Cudaback, Dierks, Hudkins, Jones, Kremer, Matzke, Raikes, Schellpeper, Schmitt, Schrock, Stuhr, Vrtiska, Wehrbein

Jan. 5	Title	25
Jan. 11	Coordsen AM2026 printed	228
Jan. 13	Coordsen pending AM2026 p. 228 adopted. Advanced for Review	282
Jan. 19	Placed on Select File - AM7163	329
Feb. 10	AM7163 (E & R) p. 329 adopted. Passed over	625
Feb. 10	Coordsen FA287 to AM2026 adopted. Advanced for Engrossment	631
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading 41-0-8	734
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 423. By Kristensen, Baker, Bromm, Bruning, Hudkins, Jensen, Dw. Pedersen

Jan. 5	Title	25
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 425. By Lynch

Jan. 5	Title	25
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 427. By Beutler

Jan. 5	Title	25
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 427A. By Beutler

Jan. 5	Title	25
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 428. By Schellpeper

Jan. 5	Title	25
Mar. 23	Indefinitely postponed	1232

LEGISLATIVE BILL 430. By Dw. Pedersen

Jan. 5	Title	26
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 431. By Janssen

Jan. 5	Title	26
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 433. By Janssen

Jan. 5	Title	26
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 433A. By Janssen

Jan. 5	Title	26
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 435. By Hudkins, Bruning

Jan. 5	Title	26
Feb. 14	Indefinitely postponed	658

LEGISLATIVE BILL 438. By Schimek

Jan. 5	Title	26
Feb. 2	Com AM557 p. 874, First Session, adopted. Advanced for Review	529
Feb. 7	Placed on Select File - AM7183	568
Feb. 10	AM7183 (E & R) p. 568 adopted. Beutler AM2334 to AM7183 adopted. Schimek AM2363 to AM7183 adopted. Advanced for Engrossment	626
Feb. 15	Correctly Engrossed. ER9115 change	695
Feb. 17	Redfield AM2452 printed	746
Feb. 22	Redfield AM2490 printed	760
Mar. 10	Redfield AM2452 p. 746 withdrawn. Returned to Select File for Redfield specific AM2490 p. 760. Redfield specific AM2490 p. 760 adopted. Advanced for Reengrossment	1007
Mar. 13	Correctly Reengrossed. ER9125 change	1045
Mar. 16	Final Reading 45-0-4	1112
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

(Provisions/portions of LB 1288 amended into LB 438 by AM2334)

LEGISLATIVE BILL 445. By Transportation Committee, Crosby, Engel

Jan. 5	Title	27
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 449. By Thompson

Jan. 5	Title	27
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 449 amended into LB 1243 by AM2455)

LEGISLATIVE BILL 450. By Thompson

Jan. 5	Title	27
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 451. By Landis, Hilgert

Jan. 5	Title	27
Jan. 25	Placed on General File - Com AM1967	418
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 452. By Landis, Lynch

Jan. 5	Title	27
Jan. 5	Attorney General's Opinion #99037 to Landis	101
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 453. By Landis

Jan. 5	Title	27
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 455. By Wickersham, Schimek

Jan. 5	Title	27
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 457. By Robak, Brashear, Bromm, Coordsen, Cudaback, Dierks, Engel, Hudkins, Janssen, Jones, Kremer, Matzke, Dw. Pedersen, Schellpeper, Schmitt, Schrock, Smith, Stuhr, Vrtiska

Jan. 5	Title	28
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 457A. By Robak

Jan. 5	Title	28
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 459. By Beutler

Jan. 5	Title	28
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 462. By Stuhr

Jan. 5	Title	28
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 463. By Stuhr, Dierks

Jan. 5	Title	28
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 464. By Wehrbein

Jan. 5	Title	28
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 466. By Brown

Jan. 5	Title	29
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 467. By Suttle, Beutler, Hilgert, Hudkins, Jensen, Jones, Dw. Pedersen, Schimek, Bruning

Jan. 5	Title	29
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 472. By Dw. Pedersen, Cudaback, Hilgert, Janssen, Jensen, Jones, Lynch, C. Peterson, Robak, Schmitt, Suttle, Thompson

(Provisions/portions of LB 472 amended into LB 652 by AM2267)

LEGISLATIVE BILL 476. By Janssen, Schellpeper, Hudkins, Tyson, Dw. Pedersen, Bruning, Smith, Schmitt, Wickersham, Engel, Robak, Quandahl

Jan. 5	Title	29
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 477. By Hudkins, Schellpeper, Vrtiska, Wickersham, Wehrbein

Jan. 5	Title	29
Jan. 20	Com AM642 p. 832, First Session, adopted. Advanced for Review	359
Jan. 24	Placed on Select File - AM7174	400
Jan. 26	Beutler AM2109 to AM7174 printed	458

Jan. 27	AM7174 (E & R) p. 400 adopted. Beutler pending AM2109 p. 458 adopted. Advanced for Engrossment	465
Jan. 28	Correctly Engrossed. ER9111 change	475
Feb. 10	Final Reading 43-0-6	619
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 480. By Schimek, Beutler, Dierks, Hudkins, Preister, Robak, Stuhr, Suttle, Thompson, Price, Chambers

Jan. 5	Title	29
Jan. 12	Schimek unanimous consent to replace pending AM1503 p. 1747, First Session, with substitute amendment. No objections. Schimek AM1503 p. 1747, First Session, withdrawn. Schimek substitute AM1749 p. 2026, First Session, pending. Chair sustained Chambers request for division of question on Tyson AM1785 to AM1749. Tyson FA262 (1st) to AM1749 lost. Tyson FA263 (2nd) to AM1749 pending	268
Jan. 13	Tyson pending FA263 (2nd) p. 269 lost. Tyson FA264 (3rd) and FA265 (4th) to AM1749 lost. Schimek pending AM1749 p. 2026, First Session, adopted. Tyson AM1597 p. 1811, First Session, withdrawn. Advanced for Review	275
Jan. 19	Placed on Select File - AM7162	328
Jan. 25	Schimek AM1957 printed	417
Jan. 26	AM7162 (E & R) p. 328 adopted. Schimek pending AM1957 p. 417 adopted. Stuhr unanimous consent to replace AM2140 to AM1749 with substitute amendment. No objections. Stuhr AM2140 withdrawn. Stuhr substitute FA272 to AM1749 adopted. Lynch AM2139 to AM1749 withdrawn. Advanced for Engrossment	440
Jan. 27	Correctly Engrossed. ER9109 change	473
Apr. 4	Final Reading 28-15-6	1578
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1666
Apr. 11	Schimek motion to override veto passed 32-5-12	1735
Apr. 11	Communication. Certificate	1741

LEGISLATIVE BILL 480A. By Schimek

Jan. 5	Title	29
Jan. 13	Advanced for Review	278
Jan. 19	Placed on Select File - AM7161	328
Jan. 25	Schimek AM2122 printed	424
Jan. 26	AM7161 (E & R) p. 328 adopted. Schimek pending AM2122 p. 424 adopted. Advanced for Engrossment	442
Jan. 27	Correctly Engrossed	473
Feb. 1	Schimek AM2227 printed	510
Mar. 24	Returned to Select File for Schimek specific AM2227 p. 510. Schimek specific AM2227 p. 510 adopted. Advanced for Reengrossment	1268
Mar. 24	Correctly Reengrossed	1310
Apr. 4	Final Reading 28-8-13	1579
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor with line-item vetoes (4/10)	1666
Apr. 11	Wehrbein motion to override line-item vetoes failed 21-23-5	1736
Apr. 11	Communication	1742

LEGISLATIVE BILL 481. By Baker, Schmitt, Tyson

Jan. 5	Title	29
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 482. By Matzke, Baker, Engel, Jensen, Landis, Schimek, Smith, at the request of the Governor

Jan. 5	Title	30
Jan. 20	Matzke AM2059 to Com AM506 printed	360
Jan. 21	Com AM506 p. 717, First Session, adopted as amended by Matzke pending AM2059 p. 360. Matzke AM620 p. 821, First Session, withdrawn. Advanced for Review	375
Jan. 25	Placed on Select File - AM7177	413
Feb. 3	AM7177 (E & R) p. 413 adopted. Advanced for Engrossment	549
Feb. 8	Correctly Engrossed. ER9112 change	577
Apr. 4	Final Reading 43-1-5	1564
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 482A. By Matzke

Feb. 1	Read first time. Placed on General File	509

Feb. 3	Advanced for Review	546
Feb. 7	Placed on Select File	570
Feb. 10	Advanced for Engrossment	625
Feb. 11	Correctly Engrossed	638
Apr. 4	Final Reading 45-1-3	1565
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 483. By Tyson, Dierks, Robak

Jan. 5	Title	30
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 484. By Tyson, Crosby, Dierks, Hartnett, Robak

Jan. 5	Title	30
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 486. By Bruning, Hartnett

Jan. 5	Title	30
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 487. By Bruning, Hartnett

Jan. 5	Title	30
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 488. By Schrock

Jan. 5	Title	30
Jan. 27	Indefinitely postponed	470

LEGISLATIVE BILL 495. By Stuhr, Baker, Bohlke, Brashear, Bromm, Connealy, Coordsen, Dierks, Engel, Hartnett, Hudkins, Jones, Kremer, Matzke, D. Pederson, C. Peterson, Price, Raikes, Robak, Schellpeper, Schimek, Schmitt, Schrock, Suttle, Thompson, Vrtiska, Wickersham

Jan. 5	Title	30
Feb. 9	Education Committee priority bill	605
Mar. 23	Stuhr-Bohlke AM3032 printed	1258
Mar. 30	Jones motion p. 1166, First Session, to indefinitely postpone withdrawn. Stuhr-Bohlke AM3032 p. 1258 withdrawn. Stuhr AM3193 adopted. Advanced for Review	1459
Apr. 3	Placed on Select File - AM7259	1491
Apr. 6	AM7259 (E & R) p. 1491 adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644

Apr. 11	Final Reading w/E 44-0-5	1704
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 1385 amended into LB 495 by AM3193)

LEGISLATIVE BILL 495A. By Stuhr, Bohlke

Apr. 3	Read first time. Placed on General File	1516
Apr. 4	Advanced for Review	1540
Apr. 4	Placed on Select File	1545
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading w/E 43-0-6	1705
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 500. By Hudkins

Jan. 5	Title	31
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 502. By Hartnett

Jan. 5	Title	31
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 503. By Bromm

Jan. 5	Title	31
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 504. By Connealy

Jan. 5	Title	31
Feb. 2	Advanced for Review	520
Feb. 3	Placed on Select File	554
Feb. 10	Advanced for Engrossment	625
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading 41-0-8	734
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 505. By Landis, Matzke, Schimek, Suttle, Thompson, C. Peterson

Jan. 5	Title	31

Jan. 11	Thompson motion p. 1425, First Session, to indefinitely postpone withdrawn. Landis AM2018 to Com AM793 pending	235
Jan. 12	Landis pending AM2018 p. 235 pending. Beutler FA261 to AM2018 pending	262
Jan. 12	Beutler FA261 p. 262 withdrawn. Landis pending AM2018 p. 235 lost. Price motion to indefinitely postpone pending. Laid over	267
Jan. 12	Bohlke explanation of vote	272
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 505 amended into LB 1436 by AM2914)

LEGISLATIVE BILL 507. By Lynch, Crosby, Engel, Hartnett, Kiel

Jan. 5	Title	31
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 508. By Brashear, Brown, Bruning, Coordsen, Hartnett, Hilgert, Jensen, Lynch, Dw. Pedersen, Preister, Redfield, Thompson

Jan. 5	Title	31
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 509. By Chambers

Jan. 5	Title	32
Jan. 20	Brashear AM2074 printed	364
Jan. 21	Brashear pending AM2074 p. 364 pending	382
Jan. 21	Brashear AM2084 to AM2074 printed	383
Jan. 24	Brashear pending AM2084 p. 383 adopted	389
Jan. 24	Brashear pending AM2074 p. 364 lost as amended	398
Jan. 24	Failed to advance for Review	410
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 510. By Chambers

Jan. 5	Title	32
Feb. 2	Pending	520
Feb. 2	Advanced for Review	522
Feb. 3	Placed on Select File	554
Feb. 10	Advanced for Engrossment	625
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading 24-17-8	735
Feb. 22	Bourne motion to reconsider Final Reading vote printed	755
Feb. 23	Bourne pending motion p. 755 to reconsider Final Reading vote prevailed	774

Feb. 23	Final Reading 28-19-2. Speaker signed	775
Feb. 23	Presented to Governor (2/23)	776
Feb. 28	Returned by Governor without approval (2/25)	817
Feb. 28	Chambers motion to override veto printed	841
Mar. 1	Chambers pending motion p. 841 to override veto failed 25-20-4	862
Mar. 2	Chambers motion to reconsider vote on the motion to override veto printed	878
Mar. 9	Chambers pending motion p. 878 to reconsider vote on the motion to override veto failed	972
Mar. 10	Communication	1016

LEGISLATIVE BILL 512. By Dw. Pedersen, Bourne, Hilgert, Hudkins, Kiel, Lynch, Robak
(Provisions/portions of LB 512 amended into LB 652 by AM2267)

LEGISLATIVE BILL 513. By Jones, Baker, Bruning, Coordsen, Cudaback, Engel, Hudkins, Jensen, Kremer, Dw. Pedersen, D. Pederson, C. Peterson, Quandahl, Redfield, Schellpeper, Schrock, Smith, Stuhr, Tyson, Vrtiska, Wehrbein, Dierks, Schmitt, Preister, Byars, Price

Jan. 5	Title	32
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 515. By Bromm, Byars, Jones, Schellpeper, Schmitt, Stuhr

Jan. 5	Title	32
Feb. 10	Bromm priority bill	615
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 516. By Bromm, Dw. Pedersen, Tyson

Jan. 5	Title	32
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 521. By Bruning, Coordsen, Cudaback

Jan. 5	Title	32
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 523. By Suttle

Jan. 5	Title	33
Jan. 5	Attorney General's Opinion #99048 to Suttle	109
Jan. 11	Suttle AM1998 printed	243
Jan. 19	Suttle AM559 p. 761, First Session, withdrawn	323

Jan. 19	Suttle pending AM1998 p. 243 adopted. Advanced for Review	323
Jan. 21	Placed on Select File - AM7171	380
Jan. 26	AM7171 (E & R) p. 380 adopted. Suttle AM2138 adopted. Advanced for Engrossment	443
Jan. 28	Correctly Engrossed	475
Feb. 10	Dispensing of reading at large approved. Final Reading 46-0-3	620
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 524. By Hilgert

Jan. 5	Title	33
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 525. By Hilgert

Jan. 5	Title	33
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 527. By Hilgert

Jan. 5	Title	33
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 529. By Hilgert

Jan. 5	Title	33
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 534. By Kristensen

Jan. 5	Title	33
Jan. 12	Kristensen AM535 printed	250
Jan. 19	Com AM442 p. 696, First Session, adopted. Kristensen pending AM535 p. 250 adopted. Advanced for Review	319
Jan. 21	Placed on Select File - AM7165	376
Jan. 26	AM7165 (E & R) p. 376 adopted. Advanced for Engrossment	443
Jan. 27	Correctly Engrossed	473
Feb. 10	Final Reading w/E 45-0-4	621
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 535. By Kristensen, Dw. Pedersen

Jan. 5	Title	33
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 536. By Bruning

Jan. 5	Title	33
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 540. By Bohlke

Jan. 5	Title	34
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 541. By Bohlke

Jan. 5	Title	34
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 544. By Bohlke

Jan. 5	Title	34
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 545. By Bohlke

Jan. 5	Title	34
Feb. 25	Indefinitely postponed	804

LEGISLATIVE BILL 546. By Bohlke

Jan. 5	Title	34
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 549. By Hartnett

Jan. 5	Title	34
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 551. By Landis

Jan. 5	Title	34
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 553. By Landis

Jan. 5	Title	35
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 554. By Landis

Jan. 5	Title	35
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 555. By Landis

Jan. 5	Title	35
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 557. By Jones

Jan. 5	Title	35
Feb. 3	Aguilar priority bill	546
Feb. 11	Wickersham AM2391 to Com AM855 printed	648
Feb. 23	Com AM855 p. 1064, First Session, adopted as amended by Wickersham pending AM2391 p. 648. Advanced for Review	775
Feb. 25	Placed on Select File - AM7207	812
Mar. 7	AM7207 (E & R) p. 812 adopted. Advanced for Engrossment	921
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading 32-10-7	1565
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 558. By Schimek, Chambers, Landis, Wehrbein

Jan. 5	Title	35
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 560. By Robak

Jan. 5	Title	36
Feb. 28	Attorney General's Opinion #00014 to Jensen	822
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 564. By Schmitt, Bohlke

Jan. 5	Title	36
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 565. By Schmitt, Robak

Jan. 5	Title	36
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 567. By Landis

Jan. 5	Title	36
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 570. By Engel, Vrtiska

Jan. 5	Title	36
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 572. By Government, Military and Veterans Affairs Committee

Jan. 5	Title	36
Feb. 22	Speaker priority bill	760
Mar. 23	Wehrbein AM3013 printed	1232
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 576. By Schellpeper, Janssen

Jan. 5	Title	36
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 577. By Janssen, Robak

Jan. 5	Title	37
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 579. By Janssen, Schimek

Jan. 5	Title	37
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 582. By Schimek, Janssen

Jan. 5	Title	37
Jan. 19	Com AM560 p. 793, First Session, adopted. Advanced for Review	329
Jan. 21	Placed on Select File - AM7167	382
Jan. 26	AM7167 (E & R) p. 382 adopted. Advanced for Engrossment	447
Jan. 28	Correctly Engrossed	475
Feb. 10	Final Reading 41-4-4	622
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 583. By Bromm

Jan. 5	Title	37
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 584. By Bromm

Jan. 5	Title	37
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 586. By Bromm

Jan. 5	Title	37
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 587. By Bromm

Jan. 5	Title	37
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 590. By Bromm, Preister

Jan. 5	Title	37
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 591. By Bromm, Kristensen

Jan. 5	Title	38
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 593. By Robak, Bourne, Byars, Cudaback, Dierks, Matzke, D. Pederson, Schmitt, Suttle, Vrtiska

Jan. 5	Title	38
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 595. By Wehrbein, Coordsen, Cudaback

Jan. 5	Title	38
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 597. By Chambers

Jan. 5	Title	38
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 598. By Chambers

Jan. 5	Title	38
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 599. By Chambers

Jan. 5	Title	38
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 601. By Raikes, Jensen, D. Pederson, Dw. Pedersen, Smith

Jan. 5	Title	38
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 602. By Raikes

Jan. 5	Title	39
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 604. By Dierks

Jan. 5	Title	39
Jan. 7	Dierks AM1991 printed	172
Feb. 22	Speaker priority bill	760
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 606. By Stuhr

Jan. 5	Title	39
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 607. By Kiel, Beutler, Bourne, Bruning, Connealy, Crosby, Hartnett, Hilgert, Hudkins, Jensen, Preister, Price, Robak, Schimek, Smith, Suttle, Thompson, Vrtiska

Jan. 5	Title	39
Mar. 22	Placed on General File - Com AM2928	1216
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 609. By Thompson

Jan. 5	Title	39
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 610. By Thompson
(Provisions/portions of LB 610 amended into LB 652 by AM2267)

LEGISLATIVE BILL 612. By Baker, Coordsen

Jan. 5	Title	39
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 613. By Baker

Jan. 5	Title	39
Feb. 1	Placed on General File	508
Mar. 2	Chambers motion to indefinitely postpone pending	883
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 614. By Beutler, Hilgert

Jan. 5	Title	40
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 615. By Beutler

Jan. 5	Title	40
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 617. By Kristensen

Jan. 5	Title	40
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 624. By Brashear

Jan. 5	Title	40
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 625. By Brashear

Jan. 5	Title	40
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 626. By Brashear

Jan. 5	Title	40
Jan. 19	Advanced for Review	330
Jan. 24	Placed on Select File - AM7173	399
Jan. 24	Beutler AM2108 printed	408
Jan. 26	Beutler AM2129 printed	428
Feb. 7	Brashear AM2273 printed	564
Feb. 10	AM7173 (E & R) p. 399 adopted. Beutler AM2108 p. 408 withdrawn. Beutler pending AM2129 p. 428 and Brashear AM2273 p. 564 adopted. Advanced for Engrossment	625
Feb. 15	Correctly Engrossed. ER9114 change	695
Feb. 17	Dispensing of reading at large approved. Final Reading 41-0-8	736
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 627. By Brashear

Jan. 5	Title	40
Feb. 1	Indefinitely postponed	509

LEGISLATIVE BILL 628. By Brashear

Jan. 5	Title	41
Jan. 31	Placed on General File - Com AM2142	496
Feb. 11	Bruning priority bill	639
Feb. 14	Bruning name added	682
Feb. 22	Brashear-Bruning AM2492 to Com AM2142 printed	757
Feb. 28	Coordsen AM2566 and AM2577 to AM2492 printed	836
Mar. 8	Com AM2142 p. 496 adopted as amended by Brashear-Bruning pending AM2492 p. 757, Coordsen AM2566, and AM2577 p. 836. Advanced for Review	938

Mar. 8	Beutler FA311 to AM2492 printed	943
Mar. 9	Beutler AM2727 to AM2492 printed	966
Mar. 9	Beutler AM2704, AM2705, and AM2703 to AM2492 printed	969
Mar. 10	Beutler AM2732 to AM7223 printed	1002
Mar. 10	Beutler AM2734, AM2735, and AM2733 to AM7223 printed	1004
Mar. 13	Placed on Select File - AM7223	1039
Mar. 16	Coordsen AM2918 printed	1140
Mar. 21	Brashear AM2923 to AM7223 printed	1188
Mar. 22	AM7223 (E & R) p. 1039 adopted. Beutler FA311 p. 943 and AM2727 p. 966 withdrawn. Beutler unanimous consent to replace pending AM2704 p. 969 with substitute amendment. No objections. Beutler AM2704 p. 969 withdrawn. Beutler substitute AM3001 to AM7223 adopted. Beutler AM2705 p. 969, AM2703 p. 969, AM2732 p. 1002, AM2734 p. 1004, AM2735 p. 1004, and AM2733 p. 1004 withdrawn. Coordsen pending AM2918 p. 1140 and Brashear AM2923 p. 1188 adopted. Advanced for Engrossment	1207
Mar. 23	Correctly Engrossed	1256
Mar. 23	ER9139 change	1257
Apr. 3	Final Reading 43-2-4	1518
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

(Provisions/portions of LB 1080 amended into LB 628 by AM2918)

LEGISLATIVE BILL 629. By Crosby

Jan. 5	Title	41
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 629A. By Crosby

Jan. 5	Title	41
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 631. By Kristensen, Chambers

Jan. 5	Title	41
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 633. By Kiel, Bourne, Brown, Bruning, Hudkins, Janssen, Jensen, Lynch, Dw. Pedersen, C. Peterson, Preister, Price, Quandahl, Redfield, Robak, Schimek, Schrock, Smith, Stuhr, Suttle, Thompson

Jan. 5	Title	41
Feb. 8	Indefinitely postponed	581

LEGISLATIVE BILL 638. By Thompson, Dw. Pedersen

Jan. 5	Title	41
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 639. By Thompson, Robak

Jan. 5	Title	42
Jan. 27	Indefinitely postponed	470

LEGISLATIVE BILL 641. By Thompson, Bromm, Jensen, Schrock

Jan. 5	Title	42
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 643. By Kiel

Jan. 5	Title	42
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 644. By Kiel

Jan. 5	Title	42
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 647. By Schellpeper

Jan. 5	Title	42
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 648. By Raikes, Engel

Jan. 5	Title	42
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 650. By Vrtiska, Brown, Bruning, Byars, Coordsen, Crosby, Cudaback, Dierks, Engel, Hartnett, Hilgert, Hudkins, Janssen, Jones, Kremer, C. Peterson, Price, Robak, Schellpeper, Schimek, Schmitt, Smith, Stuhr, Tyson, Wehrbein

Jan. 5	Title	42
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 651. By Tyson, Baker, Bromm, Byars, Connealy, Coordsen, Crosby, Cudaback, Engel, Hartnett, Hudkins, Janssen, Jones, Price, Raikes, Robak, Schellpeper, Schmitt, Smith, Stuhr, Vrtiska

Jan. 5	Title	43
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 652. By Thompson, Lynch

Jan. 5	Title	43
Jan. 6	Dw. Pedersen priority bill	163
Feb. 7	Thompson AM2267 printed separate	571
Feb. 9	Pending	601
Feb. 9	Thompson AM1263 p. 1441, First Session, and AM1690 p. 1958, First Session, withdrawn. Wickersham AM1265 p. 1453, First Session, withdrawn. Com AM717 (printed separate), First Session, lost. Thompson pending AM2267 (printed separate) pending	605
Feb. 10	Thompson pending AM2267 (printed separate) adopted. Advanced for Review	633
Feb. 15	Placed on Select File - AM7193	692
Feb. 24	Thompson AM2526 to AM2267 printed	797
Feb. 25	AM7193 (E & R) p. 692 adopted. Thompson pending AM2526 p. 797 adopted	813
Mar. 7	Advanced for Engrossment	920
Mar. 9	Correctly Engrossed. ER9122 change	970
Apr. 4	Dispensing of reading at large approved. Final Reading w/E 42-2-5	1566
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1667
Apr. 11	Thompson motion to override veto failed 24-18-7	1729
Apr. 11	Communication	1739

(Provisions/portions of LB 472 amended into LB 652 by AM2267)
(Provisions/portions of LB 512 amended into LB 652 by AM2267)
(Provisions/portions of LB 610 amended into LB 652 by AM2267)

LEGISLATIVE BILL 652A. By Thompson

Jan. 5	Title	43
Feb. 10	Advanced for Review	634
Feb. 15	Placed on Select File - AM7194	693
Feb. 24	Thompson AM2537 printed	798
Feb. 29	Thompson AM2556 printed	853

Mar. 7	Thompson AM2654 printed	910
Mar. 7	AM7194 (E & R) p. 693 adopted. Thompson AM2537 p. 798 and AM2556 p. 853 withdrawn. Thompson pending AM2654 p. 910 adopted. Advanced for Engrossment	920
Mar. 9	Correctly Engrossed. ER9120 change	970
Apr. 4	Final Reading 42-1-6	1567
Apr. 4	President signed	1571
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1667
Apr. 11	Communication	1739

LEGISLATIVE BILL 653. By Bruning, Bohlke, Crosby, Robak, Dw. Pedersen

Jan. 5	Title	43
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 654. By Schimek

Jan. 5	Title	43
Jan. 25	Schimek AM2118 printed	423
Jan. 27	Schimek AM2123 to Com AM711 printed. Schimek AM2159 printed separate	471
Feb. 2	Com AM711 p. 875, First Session, adopted as amended by Schimek pending AM2123 p. 471. Schimek pending AM2118 p. 423 adopted. Schimek pending AM2159 (printed separate) pending	529
Feb. 3	Schimek pending AM2159 (printed separate) adopted. Advanced for Review	549
Feb. 8	Placed on Select File - AM7184 (printed separate)	576
Feb. 10	AM7184 (E & R) (printed separate) adopted. Advanced for Engrossment	630
Feb. 15	Correctly Engrossed	695
Feb. 15	ER9116 change	696
Feb. 17	Dispensing of reading at large approved. Final Reading w/E 41-0-8	737
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

(Provisions/portions of LB 934 amended into LB 654 by AM2159)

LEGISLATIVE BILL 654A. By Schimek

Jan. 5	Title	43
Jan. 25	Schimek AM2124 printed	424
Jan. 27	Lynch AM2160 to AM2124 printed	471

Feb. 3	Schimek pending AM2124 p. 424 adopted as amended by Lynch pending AM2160 p. 471. Advanced for Review	550
Feb. 8	Placed on Select File - AM7185	576
Feb. 10	AM7185 (E & R) p. 576 adopted. Schimek AM2367 to AM7185 adopted. Advanced for Engrossment	630
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading w/E 40-0-9	738
Feb. 17	President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 655. By Byars

Jan. 5	Title	44
Feb. 29	Placed on General File - Com AM2476	850
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 657. By Schrock

Jan. 5	Title	44
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 658. By Lynch

Jan. 5	Title	44
Jan. 19	Lynch pending AM444 p. 818, First Session, adopted. Advanced for Review	329
Jan. 24	Placed on Select File - AM7172	399
Jan. 26	AM7172 (E & R) p. 399 adopted. Advanced for Engrossment	447
Jan. 28	Correctly Engrossed	475
Jan. 28	ER9110 change	476
Feb. 10	Final Reading 30-17-2	622
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 10	Engel explanation of vote	633
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 659. By Lynch

Jan. 5	Title	44
Jan. 7	Lynch priority bill	167
Jan. 13	Lynch AM1981 printed	283
Feb. 8	Lynch pending AM445 p. 996, First Session, adopted. Lynch AM1981 p. 283 withdrawn. Advanced for Review	591
Feb. 14	Placed on Select File - AM7190 (printed separate)	656

Feb. 23	Robak-Janssen AM2496 printed	777
Feb. 24	AM7190 (E & R) (printed separate) adopted. Robak-Janssen pending AM2496 p. 777 lost. Jensen motion to bracket until 3/13/2000 withdrawn. Quandahl AM2540 to AM7190 lost. Chambers FA299 to AM2540 withdrawn. Smith AM2542 to AM7190 adopted	787
Feb. 24	Failed to advance for Engrossment	800
Feb. 28	Attorney General's Opinion #00014 to Jensen	822
Mar. 30	Lynch-Janssen AM3206 printed separate	1475
Apr. 5	Lynch-Janssen pending AM3206 (printed separate) pending. Jensen AM3290 to AM3206 lost	1603
Apr. 10	Lynch-Janssen pending AM3206 (printed separate) lost. Smith AM3362 (on file) adopted. Advanced for Engrossment	1694
Apr. 10	Correctly Engrossed. ER9168 change	1699
Apr. 12	Final Reading 42-1-6	1747
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1241 amended into LB 659 by AM2542)

LEGISLATIVE BILL 659A. By Lynch

Jan. 18	Read first time. Placed on General File	307
Feb. 8	Advanced for Review	591
Feb. 14	Placed on Select File	656
Mar. 9	Smith AM2743 printed	998
Apr. 10	Smith AM2743 p. 998 withdrawn. Smith AM3373 adopted. Advanced for Engrossment	1695
Apr. 10	Correctly Engrossed	1699
Apr. 12	Final Reading 44-1-4	1748
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 660. By Kristensen

Jan. 5	Title	44
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 662. By Kristensen

Jan. 5	Title	44
Jan. 28	Matzke AM2184 printed	490
Jan. 28	Matzke AM2185 printed	491
Jan. 28	Matzke AM2186, AM2187, AM2188, and AM2189 printed	492

Jan. 28	Matzke AM2190 printed	493
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 665. By Wickersham

Jan. 5	Title	44
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 667. By Wickersham

Jan. 5	Title	44
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 668. By Wickersham

Jan. 5	Title	45
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 670. By Wickersham

Jan. 5	Title	45
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 671. By Wickersham

Jan. 5	Title	45
Jan. 25	Indefinitely postponed	420

LEGISLATIVE BILL 672. By Wickersham

Jan. 5	Title	45
Jan. 25	Indefinitely postponed	420

LEGISLATIVE BILL 676. By Wickersham

Jan. 5	Title	45
Feb. 7	Indefinitely postponed	562

(Provisions/portions of LB 676 amended into LB 1192 by Com AM2262)

LEGISLATIVE BILL 677. By Hudkins

Jan. 5	Title	45
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 678. By Janssen

Jan. 5	Title	45
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 685. By Wehrbein

Jan. 5	Title	46
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 686. By Stuhr, Bromm

Jan. 5	Title	46
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 688. By Robak

Jan. 5	Title	46
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 690. By Robak

Jan. 5	Title	46
Feb. 1	Placed on General File	508
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 692. By Vrtiska

Jan. 5	Title	46
Feb. 2	Advanced for Review	529
Feb. 3	Placed on Select File - AM7182	555
Feb. 9	Vrtiska AM2316 printed	602
Feb. 23	Kristensen AM2285 printed separate	770
Feb. 24	AM7182(E & R) p. 555 adopted. Vrtiska pending AM2316 p. 602 adopted. Kristensen pending AM2285 (printed separate) withdrawn. Advanced for Engrossment	785
Feb. 28	Correctly Engrossed. ER9117 change	840
Mar. 10	Final Reading 43-0-6	1005
Mar. 13	President signed	1027
Mar. 13	Presented to Governor (3/13)	1030
Mar. 16	Approved by Governor (3/16)	1148

LEGISLATIVE BILL 695. By Bruning, Quandahl, Smith

Jan. 5	Title	46
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 696. By Bruning, Byars, Coordsen, Lynch, Smith, Suttle, Vrtiska, Price

Jan. 5	Title	47
Mar. 2	Com AM1082 p. 1313, First Session, adopted. Chambers motion to indefinitely postpone pending. Laid over	883
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 696 amended into LB 352 by AM2787)

LEGISLATIVE BILL 699. By Tyson

Jan. 5	Title	47
Jan. 25	Indefinitely postponed	419

LEGISLATIVE BILL 700. By Tyson, Smith

Jan. 5	Title	47
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 701. By Tyson

Jan. 5	Title	47
Jan. 7	Schrock AM1990 to Com AM719 printed	171
Feb. 2	Coordsen AM2241 to Com AM719 printed	532
Feb. 3	Com AM719 p. 938, First Session, pending. Schrock pending AM1990 p. 171 to Com AM719 adopted. Coordsen pending AM2241 p. 532 to Com AM719 pending	550
Feb. 7	Coordsen AM2241 p. 532 withdrawn. Com AM719 p. 938, First Session, adopted. Advanced for Review	563
Feb. 8	Placed on Select File - AM7186	593
Feb. 9	Coordsen AM2342 to AM7186 printed	606
Feb. 10	AM7186 (E & R) p. 593 adopted. Coordsen pending AM2342 p. 606 adopted. Advanced for Engrossment	631
Feb. 15	Correctly Engrossed	695
Feb. 17	Final Reading 40-1-8. President signed	739
Feb. 17	Presented to Governor (2/17)	740
Feb. 23	Approved by Governor (2/22)	765

LEGISLATIVE BILL 702. By Tyson

Jan. 5	Title	47
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 705. By Bromm

Jan. 5	Title	47
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 707. By Bromm

Jan. 5	Title	47
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 708. By Hudkins

Jan. 5	Title	47
Feb. 15	Placed on General File - Com AM2301	696
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 709. By Hudkins

Jan. 5	Title	48

Mar. 2	Com AM1062 (printed separate), First Session, adopted. Advanced for Review	883
Mar. 7	Placed on Select File - AM7217 (printed separate)	913
Mar. 16	AM7217 (E & R) (printed separate) adopted. Chambers motion to indefinitely postpone pending	1135
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 710. By Raikes, Redfield

Jan. 5	Title	48
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 714. By Raikes, D. Pederson

Jan. 5	Title	48
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 715. By Raikes, Bohlke

Jan. 5	Title	48
Feb. 8	Raikes priority bill	596
Feb. 14	Raikes AM2404 printed separate	674
Feb. 23	Com AM834 (printed separate), First Session, pending. Raikes pending AM2404 (printed separate) to Com AM834 pending	776
Feb. 24	Raikes AM2536 printed separate	797
Feb. 25	Com AM834 (printed separate), First Session, pending. Raikes pending AM2404 (printed separate) withdrawn. Raikes pending AM2536 (printed separate) to Com AM834 adopted	808
Feb. 25	Com AM834 (printed separate), First Session, adopted as amended. Advanced for Review	813
Feb. 29	Placed on Select File - AM7210	851
Mar. 14	Raikes AM2801 printed separate	1069
Mar. 16	AM7210 (E & R) p. 851 adopted. Raikes pending AM2801 (printed separate) pending. Kristensen unanimous consent to bracket until 4/11/2000. No objections	1135
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 717. By Preister

Jan. 5	Title	48
Jan. 21	Preister priority bill	375
Feb. 2	Notice of hearing (2/10) (rehearing AM2003)	519
Feb. 2	Preister AM2003 printed	530
Feb. 14	Placed on General File - Com AM2003	675

Feb. 22	Com AM2003 p. 675 adopted. Preister AM2003 p. 530 withdrawn. Advanced for Review	754
Feb. 24	Placed on Select File - AM7204	781
Feb. 28	Schimek name added	841
Mar. 7	AM7204 (E & R) p. 781 adopted. Advanced for Engrossment	921
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading 43-0-6	1568
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1668
Apr. 11	Preister motion to override veto failed 25-17-7	1734
Apr. 11	Communication	1740

LEGISLATIVE BILL 717A. By Preister

Feb. 22	Read first time. Placed on General File	756
Feb. 24	Advanced for Review	785
Feb. 25	Preister AM2543 printed	809
Feb. 25	Placed on Select File	813
Mar. 7	Preister pending AM2543 p. 809 adopted. Advanced for Engrossment	921
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading 41-0-8	1569
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1668
Apr. 11	Communication	1741

LEGISLATIVE BILL 718. By Preister, Bourne, Connealy, Hilgert, Lynch

Jan. 5	Title	48
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 721. By Crosby

Jan. 5	Title	49
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 725. By Thompson

Jan. 5	Title	49
Jan. 20	Hartnett unanimous consent to bracket until 4/1/2000. No objections	363
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 727. By Thompson, Bohlke

Jan. 5	Title	49
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 728. By Schimek

Jan. 5	Title	49
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 729. By Schimek

Jan. 5	Title	49
Jan. 10	Schimek AM2005 printed	212
Feb. 3	Redfield motion p. 2060, First Session, to bracket withdrawn. Schimek pending AM2005 p. 212 adopted. Chambers FA284 to AM2005 adopted. Redfield FA285 to AM2005 lost. Advanced for Engrossment	547
Feb. 8	Correctly Engrossed. ER9113 change	577
Feb. 10	Final Reading 30-18-1	623
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 16	Returned by Governor without approval (2/15)	710
Feb. 29	Communication	845

LEGISLATIVE BILL 731. By Wehrbein

Jan. 5	Title	49
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 732. By Raikes

Jan. 5	Title	49
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 733. By C. Peterson, Engel, Janssen, Kremer, D. Pederson, Preister, Schmitt, Vrtiska

Jan. 5	Title	49
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 734. By Kiel, Bourne, Hilgert, Preister, Suttle

Jan. 5	Title	50
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 735. By Brown, Bruning, Preister

Jan. 5	Title	50
Jan. 31	Notice of hearing (2/10) (rehearing)	501
Mar. 8	Placed on General File - Com AM2653	939
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 736. By Brown

Jan. 5	Title	50
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 739. By Urban Affairs Committee

Jan. 5	Title	50
Mar. 21	Placed on General File - Com AM2849 (printed separate)	1161
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 741. By Urban Affairs Committee

Jan. 5	Title	50
Feb. 7	Indefinitely postponed	559

LEGISLATIVE BILL 742. By Janssen

Jan. 5	Title	50
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 743. By Bruning

Jan. 5	Title	51
Jan. 24	Placed on General File - Com AM1975	391
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 744. By Kiel, Price, Schrock, Suttle, Thompson

Jan. 5	Title	51
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 747. By Beutler

Jan. 5	Title	51
Jan. 24	Indefinitely postponed	402

LEGISLATIVE BILL 750. By Thompson, Dierks, Jensen, Preister, Price, Raikes, Redfield, Schimek, Suttle

Jan. 5	Title	51
Jan. 12	Thompson AM2012 to Com AM424 printed	263
Jan. 18	Com AM424 p. 677, First Session, adopted as amended by Thompson pending AM2012 p. 263. Thompson AM509 p. 764, First Session, withdrawn. Failed to advance for Review	304
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 751. By D. Pederson, Byars, C. Peterson, Robak, Tyson

Jan. 5	Title	51
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 752. By Landis

Jan. 5	Title	51
Feb. 7	Indefinitely postponed	560

LEGISLATIVE BILL 756. By Landis

Jan. 5	Title	51
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 758. By Landis, Schimek, Kiel

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 761. By Landis

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 765. By Landis

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 768. By C. Peterson, Coordsen, Cudaback

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 770. By Hartnett, Byars

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 771. By Hartnett

Jan. 5	Title	52
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 772. By Hartnett

Jan. 5	Title	52
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 773. By Hartnett

Jan. 5	Title	53
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 780. By Cudaback, C. Peterson, Quandahl, Schrock, Vrtiska

Jan. 5	Title	53
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 782. By Kiel, Coordsen, Crosby, C. Peterson, Price, Schimek, Suttle

Jan. 5	Title	53
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 785. By Schrock

Jan. 5	Title	53
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 788. By Schrock

Jan. 5	Title	53
Jan. 13	Advanced for Review	288
Jan. 19	Placed on Select File - AM7160	329
Jan. 26	AM7160 (E & R) p. 329 adopted. Advanced for Engrossment	442
Jan. 27	Correctly Engrossed	473
Feb. 10	Final Reading 47-0-2	624
Feb. 10	President signed	625
Feb. 10	Presented to Governor (2/10)	632
Feb. 16	Approved by Governor (2/15)	709

LEGISLATIVE BILL 790. By Schellpeper, Wickersham

Jan. 5	Title	53
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 791. By Schellpeper, Baker, Janssen

Jan. 5	Title	54
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 793. By Schrock

Jan. 5	Title	54
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 794. By Wehrbein, Coordsen

Jan. 5	Title	54
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 796. By Hartnett, Wehrbein

Jan. 5	Title	54
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 797. By Dierks

Jan. 5	Title	54
Jan. 10	Notice of hearing (1/19) (rehearing)	225
Mar. 30	Placed on General File - Com AM2173 (printed separate)	1470
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 798. By Jensen, Thompson

Jan. 5	Title	55
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 801. By Jensen

Jan. 5	Title	55
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 803. By Government, Military and Veterans Affairs Committee, Wickersham

Jan. 5	Title	56
Feb. 17	Government, Military and Veterans Affairs Committee priority bill	719
Mar. 27	Placed on General File - Com AM2970 (printed separate)	1373
Mar. 29	Wickersham-Schimek AM3172 printed separate	1438
Mar. 30	Com AM2970 (printed separate) pending. Wickersham-Schimek pending AM3172 (printed separate) withdrawn. Passed over	1462
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 804. By Urban Affairs Committee

Jan. 5	Title	56
Feb. 7	Indefinitely postponed	560

LEGISLATIVE BILL 807. By Hartnett, Engel

Jan. 5	Title	56
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 808. By Preister, Hartnett

Jan. 5	Title	56
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 811. By Bohlke

Jan. 5	Title	56
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 812. By Bohlke

Jan. 5	Title	56
Jan. 10	Bohlke AM2015 to Com AM879 printed	211
Feb. 1	Stuhr priority bill	517
Feb. 14	Stuhr name added	682
Mar. 8	Bohlke-Stuhr AM2714 printed	957
Mar. 13	Bohlke AM2784 to Com AM879 printed	1031
Mar. 21	Beutler AM2892 printed	1157
Mar. 23	Com AM879 p. 1107, First Session, adopted as amended by Bohlke pending AM2784 p. 1031. Bohlke AM1760 p. 2048, First Session, and AM2015 p. 211 withdrawn. Bohlke-Stuhr AM2714 p. 957 withdrawn. Beutler pending AM2892 p. 1157 pending	1263
Mar. 27	Beutler AM2892 p. 1157 withdrawn. Beutler AM3090 pending	1345
Mar. 27	Beutler pending AM3090 p. 1345 adopted as amended by Chambers FA346	1349
Mar. 27	Beutler AM3091 adopted	1361
Mar. 27	Beutler AM3089 and AM3092 withdrawn. Advanced for Review	1374
Mar. 29	Placed on Select File - AM7249	1411
Apr. 3	AM7249 (E & R) p. 1411 adopted. Beutler FA364 to AM7249 withdrawn. Bohlke-Beutler-Stuhr AM3259 to AM7249 pending. Beutler FA367 to AM3259 adopted	1526
Apr. 3	Bohlke et al. pending AM3259 p. 1526 adopted as amended. Advanced for Engrossment	1533
Apr. 4	Correctly Engrossed	1545
Apr. 6	Final Reading 39-1-9	1630
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 812A. By Bohlke

Feb. 16	Read first time. Placed on General File	712
Mar. 27	Advanced for Review	1376
Mar. 29	Placed on Select File	1414
Apr. 3	Advanced for Engrossment	1533
Apr. 4	Correctly Engrossed	1545
Apr. 6	Final Reading 38-1-10	1630

Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 817. By Tyson

Jan. 5	Title	57
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 818. By Preister, Bohlke, Crosby, Hartnett, Kiel, Landis, C. Peterson, Redfield, Schmitt, Suttle, Thompson

Jan. 5	Title	57
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 819. By Jensen

Jan. 5	Title	57
Jan. 10	Notice of hearing (1/19) (rehearing)	225
Feb. 22	Health and Human Services Committee priority bill	751
Mar. 30	Placed on General File - Com AM3133 (printed separate)	1457
Apr. 4	Jensen AM3242 to AM3133 printed	1555
Apr. 5	Com AM3133 (printed separate) adopted as amended by Jensen pending AM3242 p. 1555. Advanced for Review	1592
Apr. 6	Placed on Select File - AM7269	1636
Apr. 10	AM7269 (E & R) p. 1636 adopted. Jensen AM3349 to Com AM3133 adopted. Advanced for Engrossment	1682
Apr. 10	Correctly Engrossed. ER9169 change	1690
Apr. 12	Dispensing of reading at large approved. Final Reading 47-0-2	1749
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 819A. By Jensen

Apr. 3	Read first time. Placed on General File	1530
Apr. 5	Advanced for Review	1592
Apr. 6	Placed on Select File	1637
Apr. 10	Jensen AM3366 adopted. Advanced for Engrossment	1682
Apr. 10	Correctly Engrossed	1690
Apr. 12	Final Reading 46-0-3	1751
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 823. By Natural Resources Committee, Connealy

Jan. 5	Title	57
Jan. 24	Indefinitely postponed	397

(Provisions/portions of LB 823 amended into LB 901 by Com AM2083)

LEGISLATIVE BILL 824. By Beutler

Jan. 5	Title	58
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 825. By Price, Bruning, Chambers, Crosby, Cudaback, Dierks, Hartnett, Hudkins, Janssen, Kiel, C. Peterson, Preister, Robak, Schimek, Schrock, Suttle, Thompson, Tyson, Wehrbein, Dw. Pedersen

Jan. 5	Title	58
Jan. 26	Placed on General File - Com AM2040	451
Feb. 22	Speaker priority bill	760
Mar. 30	Com AM2040 p. 451 adopted. Advanced for Review	1466
Apr. 3	Placed on Select File - AM7261	1495
Apr. 4	Price AM3238 to Com AM2040 printed	1544
Apr. 6	AM7261 (E & R) p. 1495 adopted. Price pending AM3238 p. 1544 adopted. Advanced for Engrossment	1634
Apr. 6	Correctly Engrossed. ER9159 change	1644
Apr. 11	Final Reading w/E 43-0-6	1705
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 825A. By Price

Mar. 21	Read first time. Placed on General File	1163
Mar. 30	Advanced for Review	1466
Apr. 3	Placed on Select File	1496
Apr. 6	Advanced for Engrossment	1635
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading w/E 44-0-5	1706
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 830. By Redfield, Baker, Bourne, Brashear, Bromm, Brown, Bruning, Byars, Coordsen, Cudaback, Dierks, Engel, Hartnett, Hilgert, Hudkins, Jones, Kremer, Kiel, Kristensen, Lynch, Dw. Pedersen, C. Peterson, Quandahl, Raikes, Schellpeper, Schmitt, Schrock, Smith, Stuhr, Suttle, Thompson, Tyson, Vrtiska

Jan. 5	Title	58
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 831. By Kiel, Schrock

Jan. 5	Title	58
Jan. 24	Indefinitely postponed	391

LEGISLATIVE BILL 833. By Agriculture Committee, Connealy, Jones, Schmitt, Bromm

Jan. 5	Title	59
Jan. 13	Attorney General's Opinion #00004 to Dierks	288
Jan. 26	Placed on General File - Com AM2004	457
Feb. 14	Dierks priority bill	658
Mar. 8	Com AM2004 p. 457 adopted. Advanced for Review	943
Mar. 13	Placed on Select File - AM7226	1042
Mar. 16	Dierks AM2897 to Com AM2004 printed	1136
Mar. 16	Dierks AM2917 to Com AM2004 printed	1137
Mar. 24	Dierks AM3063 printed separate	1308
Mar. 29	AM7226 (E & R) p. 1042 adopted. Dierks AM2897 p. 1136 and AM2917 p. 1137 withdrawn. Dierks motion to suspend rules to permit consideration of AM3063 prevailed. Dierks pending AM3063 (printed separate) adopted. Advanced for Engrossment	1425
Mar. 30	Correctly Engrossed. ER9150 change	1475
Apr. 10	Motion to return to Select File for Beutler specific FA400 withdrawn	1657
Apr. 10	Final Reading 45-0-4	1658
Apr. 10	President signed	1659
Apr. 10	Presented to Governor (4/10)	1671
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 961 amended into LB 833 by AM3063)
(Provisions/portions of LB 963 amended into LB 833 by AM3063)
(Provisions/portions of LB 964 amended into LB 833 by AM3063)
(Provisions/portions of LB 1023 amended into LB 833 by AM3063)

LEGISLATIVE BILL 833A. By Dierks

Apr. 3	Read first time. Placed on General File	1515
Apr. 4	Advanced for Review	1539
Apr. 4	Placed on Select File	1545
Apr. 5	Advanced for Engrossment	1591
Apr. 5	Correctly Engrossed	1596
Apr. 10	Final Reading 44-0-5	1658
Apr. 10	President signed	1659

Apr. 10	Presented to Governor (4/10)	1671
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 834. By Agriculture Committee, Connealy, Jones, Schmitt, Bromm

Jan. 5	Title	59
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 836. By Brashear

Jan. 5	Title	59
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 837. By Brashear, Bruning, Dw. Pedersen

Jan. 5	Title	59
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 838. By Brashear, Bruning

Jan. 5	Title	59
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 840. By Brashear

Jan. 5	Title	60
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 842. By Connealy, Coordsen, Dierks, Vrtiska

Jan. 5	Title	60
Mar. 10	Indefinitely postponed	1018

LEGISLATIVE BILL 847. By Hartnett, Thompson, Bruning

Jan. 5	Title	60
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 848. By Hartnett, Bourne, Kiel, Lynch, Preister, Thompson, Bruning

Jan. 5	Title	60
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 850. By Tyson

Jan. 5	Title	60
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 852. By Kristensen

Jan. 5	Title	60
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 856. By Hartnett, Bohlke

Jan. 5	Title	60
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 857. By Hartnett, Bohlke

Jan. 5	Title	60
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 861. By Thompson, Bruning

Jan. 5	Title	61
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 864. By Dw. Pedersen

Jan. 5	Title	61
Feb. 2	Passed over	520
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 866. By Dw. Pedersen, Tyson

Jan. 5	Title	61
Mar. 9	Placed on General File - Com AM746	981
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 867. By Dw. Pedersen, Bromm, Hilgert, Hudkins, Jones, Lynch, Schmitt

Jan. 5	Title	61
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 868. By Jensen, Dierks, Tyson

Jan. 5	Title	61
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 869. By Transportation Committee

Jan. 5	Title	61
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 871. By Tyson

Jan. 5	Title	62
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 875. By Speaker Kristensen, at the request of the Governor

Jan. 5	Title	62
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 884. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	165
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 42-0-7	477
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 885. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	165
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 44-0-5	478
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 886. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	165
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 44-0-5	479
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 887. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	165
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382

Jan. 28	Final Reading 45-0-4	480
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 888. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 45-0-4	480
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 889. By Executive Board

Jan. 5	Read first time	126
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	232
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 47-0-2	481
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 890. By Executive Board

Jan. 5	Read first time	127
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	233
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 47-0-2	482
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 891. By Executive Board

Jan. 5	Read first time	127

Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	233
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 47-0-2	482
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 892. By Executive Board

Jan. 5	Read first time	127
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	233
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 46-0-3	483
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 893. By Executive Board

Jan. 5	Read first time	127
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	233
Jan. 18	Placed on Select File - AM7159	302
Jan. 20	AM7159 (E & R) p. 302 adopted. Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 45-0-4	484
Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 894. By Executive Board

Jan. 5	Read first time	127
Jan. 7	Placed on General File	166
Jan. 11	Advanced for Review	233
Jan. 18	Placed on Select File	302
Jan. 20	Advanced for Engrossment	348
Jan. 21	Correctly Engrossed	382
Jan. 28	Final Reading 47-0-2	484

Jan. 28	President signed	485
Jan. 28	Presented to Governor (1/28)	489
Feb. 2	Approved by Governor (2/2)	532

LEGISLATIVE BILL 895. By Kristensen

Jan. 5	Read first time	128
Jan. 7	Referred to Revenue Committee	166
Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 896. By Coordsen

Jan. 5	Read first time	128
Jan. 7	Referred to Education Committee	166
Jan. 18	Notice of hearing (1/25)	303
Feb. 7	Indefinitely postponed	566

LEGISLATIVE BILL 897. By Coordsen

Jan. 5	Read first time	128
Jan. 7	Referred to Business and Labor Committee	166
Jan. 13	Notice of hearing (1/24)	281
Jan. 25	Indefinitely postponed	425

LEGISLATIVE BILL 898. By Lynch

Jan. 5	Read first time	128
Jan. 7	Referred to Health and Human Services Committee	166
Jan. 12	Notice of hearing (1/20)	251
Jan. 25	Placed on General File	416
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 898 amended into LB 1115 by Com AM2715)

LEGISLATIVE BILL 899. By Lynch

Jan. 5	Read first time	128
Jan. 7	Referred to Judiciary Committee	166
Jan. 10	Dw. Pedersen name added	203
Jan. 26	Notice of hearing (2/2)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 900. By Natural Resources Committee, at the request of the Governor

Jan. 5	Read first time	128
Jan. 7	Referred to Natural Resources Committee	166
Jan. 10	Natural Resources Committee priority bill	185
Jan. 11	Notice of hearing (1/19)	242

Jan. 19	Correction	317
Jan. 24	Placed on General File - Com AM2082	391
Feb. 8	Com AM2082 p. 391 adopted	579
Feb. 8	Beutler AM2300, AM2299, and AM2289 withdrawn. Advanced for Review	587
Feb. 14	Placed on Select File - AM7192	655
Feb. 24	AM7192 (E & R) p. 655 adopted. Schrock AM2541 adopted. Advanced for Engrossment	785
Mar. 1	Correctly Engrossed. ER9119 change	864
Mar. 16	Dispensing of reading at large approved	1104
Mar. 16	Final Reading w/E 44-0-5	1105
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 22	Approved by Governor (3/22)	1202

(Provisions/portions of LB 902 amended into LB 900 by Com AM2082)
(Provisions/portions of LB 1069 amended into LB 900 by AM2541)

LEGISLATIVE BILL 900A. By Schrock

Jan. 28	Read first time. Placed on General File	489
Feb. 8	Advanced for Review	591
Feb. 14	Placed on Select File	655
Feb. 24	Advanced for Engrossment	787
Mar. 1	Correctly Engrossed	864
Mar. 16	Final Reading w/E 45-0-4	1106
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 22	Approved by Governor (3/22)	1202

LEGISLATIVE BILL 901. By Natural Resources Committee

Jan. 5	Read first time	129
Jan. 7	Referred to Natural Resources Committee	166
Jan. 11	Notice of hearing (1/19)	242
Jan. 24	Placed on General File - Com AM2083	394
Feb. 8	Schmitt AM2141 to Com AM2083 printed	596
Feb. 9	Natural Resources Committee priority bill	605
Mar. 30	Com AM2083 p. 394 adopted. Schmitt AM2141 p. 596 withdrawn. Advanced for Review	1458
Apr. 3	Placed on Select File - AM7257 (printed separate)	1490
Apr. 6	AM7257 (E & R) (printed separate) adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 47-0-2	1707
Apr. 11	President signed	1724

Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 823 amended into LB 901 by Com AM2083)

LEGISLATIVE BILL 901A. By Schrock

Jan. 27	Read first time. Placed on General File	471
Mar. 30	Advanced for Review	1459
Apr. 3	Placed on Select File	1490
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 44-0-5	1708
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 902. By Schrock

Jan. 5	Read first time	129
Jan. 7	Referred to Natural Resources Committee	166
Jan. 11	Notice of hearing (1/19)	242
Jan. 24	Indefinitely postponed	404

(Provisions/portions of LB 902 amended into LB 900 by Com AM2082)

LEGISLATIVE BILL 903. By Schrock

Jan. 5	Read first time	130
Jan. 7	Referred to Natural Resources Committee	166
Jan. 11	Notice of hearing (1/19)	242
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 904. By Schrock

Jan. 5	Read first time	130
Jan. 7	Referred to Natural Resources Committee	166
Jan. 12	Notice of hearing (1/20)	272
Feb. 2	Placed on General File - Com AM2236	524
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 905. By Chambers, Jensen, Smith

Jan. 5	Read first time	130
Jan. 5	Bruning name added	152
Jan. 7	Referred to General Affairs Committee	166
Jan. 7	Tyson and Redfield names added	176
Jan. 19	Correction	317
Jan. 27	Notice of hearing (2/14)	468
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 906. By Hilgert, Preister

Jan. 5	Read first time	130
Jan. 7	Referred to Transportation Committee	166
Jan. 10	Notice of hearing (1/18)	206
Jan. 11	Kiel name added	245
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 907. By Hilgert, Kiel, Preister, Quandahl, Smith, Suttle, Thompson

Jan. 5	Read first time	130
Jan. 7	Referred to Judiciary Committee	166
Jan. 10	Hilgert priority bill	185
Jan. 19	Notice of hearing (1/26)	328
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 908. By Hilgert, Bourne

Jan. 5	Read first time	131
Jan. 7	Referred to Judiciary Committee	166
Jan. 19	Notice of hearing (1/27)	328
Feb. 1	Indefinitely postponed	509
Feb. 15	Attorney General's Opinion #00012 to Hilgert	686

LEGISLATIVE BILL 909. By Hilgert

Jan. 5	Read first time	131
Jan. 7	Referred to Education Committee	166
Jan. 31	Notice of hearing (2/14)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 910. By Hilgert, Beutler, Cudaback, Preister, Schmitt, Schrock

Jan. 5	Read first time	131
Jan. 7	Referred to Transportation Committee	166
Jan. 7	Redfield name added	176
Jan. 10	Notice of hearing (1/18)	206
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 911. By Hilgert

Jan. 5	Read first time	131
Jan. 7	Referred to Health and Human Services Committee	166
Jan. 12	Notice of hearing (1/20)	251
Jan. 25	Indefinitely postponed	416

LEGISLATIVE BILL 912. By Hilgert

Jan. 5	Read first time	131
Jan. 7	Referred to General Affairs Committee	166
Jan. 18	Notice of hearing (1/31)	305
Feb. 2	Indefinitely postponed	522

LEGISLATIVE BILL 913. By Hilgert

Jan. 5	Read first time	132
Jan. 7	Referred to General Affairs Committee	166
Jan. 27	Notice of hearing (2/14)	468
Feb. 28	Indefinitely postponed	832

LEGISLATIVE BILL 914. By Hilgert

Jan. 5	Read first time	132
Jan. 7	Referred to Health and Human Services Committee	166
Jan. 31	Notice of hearing (2/10)	501
Feb. 24	Placed on General File - Com AM2350	795
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 914 amended into LB 925 by AM2593)

LEGISLATIVE BILL 915. By Vrtiska

Jan. 5	Read first time	132
Jan. 7	Referred to Business and Labor Committee	166
Jan. 13	Notice of hearing (1/24)	281
Feb. 8	Placed on General File	587
Mar. 2	Chambers motion to indefinitely postpone pending. Laid over	883
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 916. By Lynch

Jan. 5	Read first time	132
Jan. 7	Referred to Revenue Committee	166
Jan. 31	Notice of hearing (2/28)	506
Mar. 2	Placed on General File	893
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 917. By Bruning

Jan. 5	Read first time	132
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 13	Notice of hearing (1/24)	274
Jan. 26	Indefinitely postponed	427

LEGISLATIVE BILL 918. By Bruning

Jan. 5	Read first time	132
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 13	Notice of hearing (1/24)	274
Jan. 26	Placed on General File	427
Mar. 2	Chambers motion to indefinitely postpone pending. Laid over	883
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 919. By Bruning

Jan. 5	Read first time	133
Jan. 7	Referred to Revenue Committee	166
Jan. 24	Hartnett name added	412
Jan. 31	Notice of hearing (2/23)	505
Feb. 2	Aguilar name added	533
Feb. 3	Dw. Pedersen name added	555
Feb. 28	Indefinitely postponed	819

LEGISLATIVE BILL 920. By Brashear

Jan. 5	Read first time	133
Jan. 7	Referred to Health and Human Services Committee	166
Jan. 12	Notice of hearing (1/20)	251
Jan. 25	Placed on General File	416
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 920 amended into LB 1352 by AM3064)

LEGISLATIVE BILL 921. By Brashear

Jan. 5	Read first time	133
Jan. 7	Referred to Judiciary Committee	166
Jan. 12	Notice of hearing (1/19)	251
Jan. 25	Placed on General File - Com AM2072	418
Feb. 10	Judiciary Committee priority bill	632
Mar. 1	Com AM2072 p. 418 adopted. Brashear AM2612 and AM2613 adopted. Advanced for Review	873
Mar. 7	Placed on Select File - AM7218 (printed separate)	913
Mar. 10	AM7218 (E & R) (printed separate) adopted. Advanced for Engrossment	1008
Mar. 13	Correctly Engrossed	1045
Mar. 16	Dispensing of reading at large approved. Final Reading 44-0-5	1113
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1128

Mar. 21	Approved by Governor (3/21)	1173

(Provisions/portions of LB 1013 amended into LB 921 by AM2613)
(Provisions/portions of LB 1204 amended into LB 921 by AM2612)

LEGISLATIVE BILL 922. By Cudaback, Baker, Jones, D. Pederson, Schrock

Jan. 5	Read first time	133
Jan. 7	Referred to Judiciary Committee	166
Jan. 12	Notice of hearing (1/19)	251
Jan. 20	Cudaback priority bill	345
Jan. 21	Suttle name added	384
Jan. 25	Placed on General File - Com AM2081	418
Feb. 11	Com AM2081 p. 418 adopted	639
Feb. 11	Advanced for Review	641
Feb. 15	Placed on Select File - AM7195	693
Mar. 7	AM7195 (E & R) p. 693 adopted. Advanced for Engrossment	920
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading w/E 43-0-6	1569
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1668
Apr. 11	Cudaback-Suttle motion to override veto failed 24-20-5	1733
Apr. 11	Communication	1739

(Provisions/portions of LB 219 amended into LB 922 by Com AM2081)

LEGISLATIVE BILL 922A. By Cudaback, Suttle

Feb. 16	Read first time. Placed on General File	717
Feb. 22	Cudaback AM2474 adopted. Advanced for Review	754
Feb. 22	Placed on Select File	764
Mar. 7	Advanced for Engrossment	920
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading w/E 43-0-6	1570
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1668
Apr. 11	Communication	1740

LEGISLATIVE BILL 923. By Hartnett

Jan. 5	Read first time	133
Jan. 7	Referred to Health and Human Services Committee	166
Jan. 12	Notice of hearing (1/20)	251
Jan. 25	Placed on General File	416

Mar. 2	Chambers motion to indefinitely postpone pending. Laid over	884
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 924. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Revenue Committee	166
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Indefinitely postponed	505

LEGISLATIVE BILL 925. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Revenue Committee	166
Jan. 13	Notice of hearing (1/27)	280
Feb. 11	Placed on General File	641
Feb. 17	Landis priority bill	740
Feb. 24	Suttle AM2504 printed	797
Mar. 7	Hilgert AM2593 printed	923
Mar. 8	Wickersham AM2707 and Brown AM2693 printed	949
Mar. 8	Landis AM2696 printed	951
Mar. 14	Raikes AM2822 printed	1074
Mar. 29	Suttle pending AM2504 p. 797 pending	1441
Apr. 3	Suttle pending AM2504 p. 797 lost	1482
Apr. 3	Hilgert pending AM2593 p. 923 and Wickersham AM2707 p. 949 adopted. Brown AM2693 p. 949 withdrawn	1485
Apr. 3	Landis AM2696 p. 951 and Raikes AM2822 p. 1074 withdrawn. Wickersham FA363 lost	1496
Apr. 4	Bohlke motion to reconsider Wickersham FA363 p. 1496 withdrawn. Advanced for Review	1540
Apr. 5	Placed on Select File - AM7265 (printed separate)	1592
Apr. 5	Hilgert AM3309 to AM7265 printed	1612
Apr. 5	Landis AM3330 printed separate	1618
Apr. 5	Hilgert name added	1618
Apr. 6	AM7265 (E & R) (printed separate) adopted. Landis pending AM3330 (printed separate) adopted as amended by Wickersham-Landis AM3336 and Hilgert AM3332. Wickersham AM3334, AM3333, AM3341, and Raikes AM3338 to AM3330 lost. Hilgert AM3309 p. 1612 withdrawn. Advanced for Engrossment	1639
Apr. 10	Correctly Engrossed. ER9161 change	1655
Apr. 12	Dispensing of reading at large approved. Final Reading 34-14-1	1751

Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Returned by Governor without approval (4/13)	1787

(Provisions/portions of LB 914 amended into LB 925 by AM2593)
(Provisions/portions of LB 1088 amended into LB 925 by AM3330)

LEGISLATIVE BILL 925A. By Landis

Feb. 17	Read first time. Placed on General File	745
Apr. 4	Hilgert AM2751 adopted. Advanced for Review	1540
Apr. 5	Placed on Select File - AM7266	1593
Apr. 6	AM7266 (E & R) p. 1593 adopted. Advanced for Engrossment	1643
Apr. 10	Correctly Engrossed	1655
Apr. 12	Final Reading 35-10-4	1752
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Returned by Governor without approval (4/13)	1787

LEGISLATIVE BILL 926. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Judiciary Committee	166
Jan. 12	Notice of hearing (1/19)	251
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 927. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Judiciary Committee	166
Jan. 19	Notice of hearing (1/28)	328
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 928. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Revenue Committee	166
Jan. 13	Notice of hearing (1/21)	280
Feb. 11	Indefinitely postponed	642

LEGISLATIVE BILL 929. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 10	Notice of hearing (1/18)	225
Jan. 19	Placed on General File	327
Feb. 11	Quandahl priority bill. Quandahl name added	654

Feb. 23	Landis AM2477 printed separate	773
Mar. 8	Landis pending AM2477 (printed separate) adopted. Advanced for Review	943
Mar. 13	Placed on Select File - AM7229	1042
Mar. 16	AM7229 (E & R) p. 1042 adopted. Advanced for Engrossment	1122
Mar. 21	Correctly Engrossed. ER9135 change	1155
Mar. 24	Dispensing of reading at large approved. Final Reading 46-0-3	1280
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

(Provisions/portions of LB 931 amended into LB 929 by AM2477)
(Provisions/portions of LB 1068 amended into LB 929 by AM2477)
(Provisions/portions of LB 1111 amended into LB 929 by AM2477)

LEGISLATIVE BILL 930. By Landis

Jan. 5	Read first time	134
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 10	Notice of hearing (1/18)	225
Jan. 19	Placed on General File - Com AM2054	327
Feb. 29	Com AM2054 p. 327 adopted. Advanced for Review	852
Mar. 2	Placed on Select File - AM7211	888
Mar. 10	AM7211 (E & R) p. 888 adopted. Advanced for Engrossment	1007
Mar. 13	Correctly Engrossed	1045
Mar. 16	Dispensing of reading at large approved. Final Reading 45-0-4	1116
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1129
Mar. 21	Approved by Governor (3/21)	1173

(Provisions/portions of LB 930 amended into LB 1119 by AM2467)

LEGISLATIVE BILL 931. By Landis

Jan. 5	Read first time	135
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 10	Notice of hearing (1/18)	225
Jan. 19	Placed on General File	327
Jan. 25	Landis AM2121 printed separate	424
Feb. 22	Speaker priority bill	760

Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 931 amended into LB 929 by AM2477)

LEGISLATIVE BILL 932. By Landis

Jan. 5	Read first time	135
Jan. 7	Referred to Banking, Commerce and Insurance Committee	166
Jan. 10	Notice of hearing (1/18)	225
Jan. 19	Correction	317
Jan. 19	Placed on General File - Com AM2027	327
Feb. 14	Banking, Commerce and Insurance Committee priority bill	656
Mar. 24	Landis AM2848 printed separate	1287
Mar. 28	Landis AM3130 printed separate	1404
Mar. 30	Com AM2027 p. 327 adopted. Landis pending AM2848 (printed separate) withdrawn. Advanced for Review	1458
Apr. 3	Placed on Select File - AM7260	1490
Apr. 5	Landis AM2867 printed	1597
Apr. 6	AM7260 (E & R) p. 1490 adopted. Landis pending AM3130 (printed separate) adopted as amended by Beutler FA397. Beutler FA399 to FA397 adopted. Landis pending AM2867 p. 1597 adopted. Advanced for Engrossment	1635
Apr. 10	Correctly Engrossed. ER9163 change	1660
Apr. 12	Dispensing of reading at large approved. Final Reading w/E 47-0-2	1753
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1148 amended into LB 932 by AM2867)
(Provisions/portions of LB 1178 amended into LB 932 by AM3130)
(Provisions/portions of LB 1271 amended into LB 932 by AM3130)
(Provisions/portions of LB 1341 amended into LB 932 by AM3130)
(Provisions/portions of LB 1387 amended into LB 932 by AM3130)
(Provisions/portions of LB 1440 amended into LB 932 by AM3130)

LEGISLATIVE BILL 933. By Schimek

Jan. 5	Read first time	135
Jan. 7	Referred to Government, Military and Veterans Affairs Committee	166
Jan. 12	Notice of hearing (1/19)	267
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 934. By Schimek

Jan. 5	Read first time	136
Jan. 7	Referred to Government, Military and Veterans Affairs Committee	166
Jan. 13	Notice of hearing (1/21)	295
Jan. 31	Placed on General File	496
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 934 amended into LB 654 by AM2159)

LEGISLATIVE BILL 935. By Schimek

Jan. 5	Read first time	136
Jan. 7	Referred to Government, Military and Veterans Affairs Committee	166
Jan. 13	Notice of hearing (1/20)	283
Jan. 21	Placed on General File	383
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 936. By Matzke, Aguilar, Baker, Bourne, Brashear, Bromm, Brown, Bruning, Byars, Coordsen, Crosby, Cudaback, Dickey, Dierks, Engel, Hartnett, Hudkins, Jones, Kremer, Kristensen, Lynch, D. Pederson, Price, Quandahl, Redfield, Robak, Schimek, Schmitt, Schrock, Smith, Stuhr, Tyson, Vrtiska, Wehrbein, at the request of the Governor

Jan. 5	Read first time	136
Jan. 7	Referred to Revenue Committee	167
Jan. 12	Dw. Pedersen name added	266
Jan. 13	Notice of hearing (1/26)	280
Jan. 31	Matzke priority bill	495
Mar. 13	Placed on General File - Com AM2736 (printed separate)	1025
Mar. 16	Matzke AM2911 to Com AM2736 printed	1143
Mar. 21	Com AM2736 (printed separate) pending. Matzke pending AM2911 p. 1143 adopted. Beutler FA335 to Com AM2736 pending	1162
Mar. 21	Beutler FA336 to Com AM2736 printed	1188
Mar. 23	Com AM2736 (printed separate) pending. Beutler FA335 p. 1162 withdrawn. Beutler pending FA336 p. 1188 pending	1231
Mar. 23	Beutler pending FA336 p. 1188 adopted. Chambers FA341 to Com AM2736 pending	1234
Mar. 23	Chambers pending FA341 p. 1235 lost	1244
Mar. 23	Chambers FA342 and Beutler AM3034 to Com AM2736 lost. Com AM2736 (printed separate) adopted as amended by Chambers FA343. Advanced for Review	1250

Mar. 23	Baker AM3031 to AM2911 printed	1258
Mar. 27	Placed on Select File - AM7247 (printed separate)	1349
Apr. 3	AM7247 (E & R) (printed separate) adopted. Baker AM3031 p. 1258 withdrawn. Baker AM3250 to AM7247 adopted. Advanced for Engrossment	1525
Apr. 4	Correctly Engrossed. ER9153 change	1545
Apr. 6	Dispensing of reading at large approved. Final Reading 44-5-0	1631
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 936A. By Matzke

Mar. 14	Read first time. Placed on General File	1064
Mar. 23	Advanced for Review	1251
Mar. 27	Placed on Select File	1349
Apr. 3	Advanced for Engrossment	1526
Apr. 4	Correctly Engrossed	1545
Apr. 6	Final Reading 44-5-0	1632
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 937. By Beutler, Byars, Crosby, Hudkins, Landis, Price, Raikes, Schimek

Jan. 5	Read first time	136
Jan. 7	Referred to Government, Military and Veterans Affairs Committee	167
Jan. 20	Notice of hearing (1/27)	364
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 938. By Dw. Pedersen

Jan. 5	Read first time	136
Jan. 10	Referred to Judiciary Committee	180
Jan. 19	Notice of hearing (1/27)	328
Feb. 29	Placed on General File - Com AM2347	851
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 939. By Baker

Jan. 5	Read first time	137
Jan. 10	Referred to Natural Resources Committee	180
Jan. 12	Notice of hearing (1/20)	272
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 940. By Baker

Jan. 5	Read first time	137
Jan. 10	Referred to Judiciary Committee	180
Jan. 12	Notice of hearing (1/19)	251
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 941. By Wickersham

Jan. 5	Read first time	137
Jan. 10	Referred to Revenue Committee	180
Jan. 24	Notice of hearing (2/9)	412
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 942. By Wickersham, Coordsen, Hartnett, Redfield

Jan. 5	Read first time	137
Jan. 10	Referred to Revenue Committee	180
Jan. 12	Notice of hearing (1/20)	264
Jan. 21	Placed on General File	375
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 943. By Wickersham, Jensen

Jan. 5	Read first time	137
Jan. 10	Referred to Revenue Committee	180
Jan. 13	Notice of hearing (1/27)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 944. By Wickersham

Jan. 5	Read first time	138
Jan. 10	Referred to Revenue Committee	180
Jan. 12	Notice of hearing (1/20)	264
Jan. 21	Placed on General File	375
Feb. 29	Advanced for Review	852
Mar. 2	Placed on Select File	888
Mar. 10	Advanced for Engrossment	1007
Mar. 13	Correctly Engrossed	1045
Mar. 16	Final Reading w/E 45-0-4	1117
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1129
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 945. By Wickersham

Jan. 5	Read first time	138
Jan. 10	Referred to Revenue Committee	180

Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 946. By Wickersham

Jan. 5	Read first time	138
Jan. 10	Referred to Revenue Committee	180
Jan. 31	Notice of hearing (2/25)	506
Mar. 2	Placed on General File	893
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 947. By Wickersham

Jan. 5	Read first time	138
Jan. 10	Referred to Revenue Committee	180
Jan. 12	Notice of hearing (1/20)	264
Feb. 11	Indefinitely postponed	642

LEGISLATIVE BILL 948. By Wickersham

Jan. 5	Read first time	138
Jan. 10	Referred to Revenue Committee	180
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Placed on General File	505
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 949. By Stuhr, Baker

Jan. 5	Read first time	138
Jan. 7	Kristensen name added	176
Jan. 10	Referred to Revenue Committee	180
Jan. 12	Notice of hearing (1/20)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 950. By Byars, Schimek, Stuhr, Suttle, Thompson

Jan. 5	Read first time	139
Jan. 10	Referred to Health and Human Services Committee	180
Jan. 18	Notice of hearing (1/27)	306
Jan. 21	Price name added	384
Jan. 28	Dw. Pedersen name added	493
Feb. 1	Byars priority bill	513
Feb. 2	Bromm name added	533
Feb. 3	Placed on General File - Com AM2192	535
Feb. 10	Byars AM2343 printed	633
Feb. 11	Com AM2192 p. 535 pending	642

Feb. 14	Com AM2192 p. 535 adopted. Byars pending AM2343 p. 633 adopted. Advanced for Review	657
Feb. 14	Engel name added	682
Feb. 15	Placed on Select File - AM7200	703
Mar. 7	AM7200 (E & R) p. 703 adopted. Advanced for Engrossment	920
Mar. 9	Correctly Engrossed. ER9121 change	970
Apr. 4	Final Reading w/E 39-1-9	1571
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 950A. By Byars

Feb. 10	Read first time. Placed on General File	634
Feb. 14	Advanced for Review	657
Feb. 15	Placed on Select File	707
Feb. 16	Byars AM2438 printed	713
Mar. 7	Byars pending AM2438 p. 713 adopted. Advanced for Engrossment	920
Mar. 9	Correctly Engrossed	970
Apr. 4	Final Reading w/E 37-0-12	1572
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 951. By Byars, Jensen, Kristensen, Thompson

Jan. 5	Read first time	139
Jan. 10	Referred to Transportation Committee	180
Jan. 10	Notice of hearing (1/18)	206
Jan. 19	Dw. Pedersen name added	341
Jan. 28	Placed on General File - Com AM2137	488
Feb. 14	Transportation and Telecommunications Committee priority bill	656
Apr. 3	Bromm AM3048 printed	1502
Apr. 5	Pending	1592
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 951A. By Byars

Feb. 15	Read first time. Placed on General File	708
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 952. By Byars, Vrtiska, Wickersham

Jan. 5	Read first time	139

Jan. 10	Referred to Appropriations Committee	181
Jan. 24	Notice of hearing (2/7)	406
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 953. By Vrtiska, Chambers, Dierks, Hilgert, Preister, Redfield, Schimek

Jan. 5	Read first time	139
Jan. 10	Referred to Business and Labor Committee	181
Jan. 28	Notice of hearing (2/7)	489
Feb. 8	Business and Labor Committee priority bill	596
Feb. 9	Placed on General File - Com AM2319	607
Mar. 1	Com AM2319 p. 607 adopted. Vrtiska AM2578 adopted. Advanced for Review	867
Mar. 7	Placed on Select File - AM7219	913
Mar. 9	Hilgert AM2674 printed separate	973
Mar. 10	AM7219 (E & R) p. 913 adopted. Hilgert pending AM2674 (printed separate) lost. Matzke motion to indefinitely postpone pending. Laid over	1014
Mar. 21	Hilgert AM2957 printed separate	1197
Mar. 22	Matzke motion p. 1014 to indefinitely postpone withdrawn. Hilgert pending AM2957 (printed separate) adopted. Chambers motion to reconsider vote on Hilgert AM2957 withdrawn	1203
Mar. 22	Vrtiska AM3007 withdrawn. Hilgert FA339 to AM2957 adopted. Advanced for Engrossment	1206
Mar. 23	Correctly Engrossed	1256
Mar. 23	ER9141 change	1257
Apr. 3	Dispensing of reading at large approved. Final Reading w/E 45-0-4	1519
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

(Provisions/portions of LB 1311 amended into LB 953 by AM2957)

LEGISLATIVE BILL 954. By Jensen, Byars, Matzke

Jan. 5	Read first time	139
Jan. 10	Referred to Banking, Commerce and Insurance Committee	181
Jan. 21	Notice of hearing (2/1)	376
Feb. 3	Placed on General File	535
Mar. 2	Chambers motion to indefinitely postpone pending. Laid over	884
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 955. By Jensen, Byars, Matzke

Jan. 5	Read first time	139
Jan. 10	Referred to Revenue Committee	181
Jan. 13	Notice of hearing (1/27)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 956. By Schimek, Beutler, Bohlke, Coordsen, Kiel, Kristensen, Matzke, Wehrbein

Jan. 5	Read first time	140
Jan. 10	Referred to Government, Military and Veterans Affairs Committee	181
Jan. 10	D. Pederson name added	203
Jan. 12	Notice of hearing (1/19)	267
Feb. 14	Placed on General File	675
Feb. 22	Speaker priority bill	760
Mar. 30	Advanced for Review	1466
Apr. 3	Placed on Select File	1496
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 44-1-4	1708
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Returned by Governor without approval (4/11)	1747
Apr. 12	Kristensen motion to override veto passed 45-1-3	1778
Apr. 12	Communication. Certificate	1779

LEGISLATIVE BILL 957. By Dierks, Schrock, Wehrbein

Jan. 5	Read first time	140
Jan. 10	Referred to Agriculture Committee	181
Jan. 18	Notice of hearing (1/25)	305
Feb. 1	Placed on General File	507
Feb. 2	Agriculture Committee priority bill	530
Feb. 11	Dierks AM2276 printed	639
Feb. 22	Dierks pending AM2276 p. 639 adopted. Advanced for Review	756
Feb. 24	Placed on Select File - AM7205	782
Mar. 7	Landis AM2639 printed	906
Mar. 7	Dierks AM2676 printed	930
Mar. 10	AM7205 (E & R) p. 782 adopted. Landis AM2639 p. 906 withdrawn. Dierks pending AM2676 p. 930 and Landis AM2748 adopted. Dierks FA317 to AM2676 adopted. Advanced for Engrossment	1008
Mar. 14	Correctly Engrossed. ER9127 change	1051

Apr. 4	Final Reading w/E 41-1-7	1572
Apr. 4	President signed	1576
Apr. 4	Landis name added	1589
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 992 amended into LB 957 by AM2748)

LEGISLATIVE BILL 957A. By Dierks

Feb. 14	Read first time. Placed on General File	658
Feb. 22	Advanced for Review	756
Feb. 24	Placed on Select File	782
Mar. 9	Landis AM2718 printed	994
Mar. 10	Landis AM2718 p. 994 withdrawn. Dierks AM2730, AM2728, and Landis AM2754 adopted. Advanced for Engrossment	1013
Mar. 14	Correctly Engrossed	1051
Mar. 14	ER9128 change	1052
Apr. 4	Final Reading w/E 39-0-10	1573
Apr. 4	President signed	1576
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor with line-item veto (4/10)	1669
Apr. 12	Communication	1782

LEGISLATIVE BILL 958. By Dierks

Jan. 5	Read first time	140
Jan. 10	Referred to Agriculture Committee	181
Jan. 28	Notice of hearing (2/8)	493
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 959. By Dierks

Jan. 5	Read first time	140
Jan. 10	Referred to Agriculture Committee	181
Jan. 28	Notice of hearing (2/8)	493
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 960. By Dierks

Jan. 5	Read first time	140
Jan. 10	Referred to Agriculture Committee	181
Jan. 11	Notice of hearing (1/18)	231
Jan. 26	Placed on General File	449
Feb. 29	Advanced for Review	852
Mar. 2	Placed on Select File	888
Mar. 10	Advanced for Engrossment	1007

Mar. 13	Correctly Engrossed	1045
Mar. 16	Final Reading 45-0-4	1118
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1129
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 961. By Dierks

Jan. 5	Read first time	140
Jan. 10	Referred to Agriculture Committee	181
Jan. 18	Notice of hearing (1/25)	305
Feb. 28	Placed on General File	820
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 961 amended into LB 833 by AM3063)

LEGISLATIVE BILL 962. By Dierks

Jan. 5	Read first time	141
Jan. 10	Referred to Revenue Committee	181
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Indefinitely postponed	505

LEGISLATIVE BILL 963. By Dierks

Jan. 5	Read first time	141
Jan. 10	Referred to Health and Human Services Committee	181
Jan. 12	Notice of hearing (1/21)	251
Jan. 13	Notice of hearing (1/21) (cancel)	283
Jan. 18	Notice of hearing (1/27) (reschedule)	306
Feb. 15	Indefinitely postponed	702

(Provisions/portions of LB 963 amended into LB 833 by AM3063)

LEGISLATIVE BILL 964. By Dierks

Jan. 5	Read first time	141
Jan. 10	Referred to Agriculture Committee	181
Jan. 18	Notice of hearing (1/25)	305
Feb. 1	Placed on General File	507
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 964 amended into LB 833 by AM3063)

LEGISLATIVE BILL 965. By Robak, Baker, Bohlke, Bourne, Brashear, Connealy, Hilgert, Kiel, Dw. Pedersen, Price, Thompson

Jan. 5	Read first time	141
Jan. 10	Referred to Health and Human Services Committee	181
Jan. 18	Notice of hearing (1/26)	306
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 966. By Bromm, Beutler, Brashear, Janssen

Jan. 5	Read first time	141
Jan. 10	Referred to Judiciary Committee	181
Jan. 26	Notice of hearing (2/3)	444
Feb. 8	Placed on General File	581
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 967. By Revenue Committee

Jan. 5	Read first time	141
Jan. 10	Referred to Revenue Committee	181
Jan. 12	Notice of hearing (1/20)	264
Jan. 24	Placed on General File - Com AM2086	402
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 967 amended into LB 968 by AM2984)

LEGISLATIVE BILL 968. By Revenue Committee

Jan. 5	Read first time	142
Jan. 10	Referred to Revenue Committee	181
Jan. 12	Notice of hearing (1/19)	264
Jan. 21	Revenue Committee priority bill	376
Feb. 16	Placed on General File - Com AM2432 (printed separate)	710
Mar. 7	Coordsen AM2479 to Com AM2432 printed	928
Mar. 14	Coordsen AM2834 to Com AM2432 printed	1068
Mar. 15	Com AM2432 (printed separate) adopted. Advanced for Review	1098
Mar. 15	Wickersham AM2836 printed separate	1101
Mar. 21	Placed on Select File - AM7240	1154
Mar. 21	Landis AM2847 to Com AM2432 printed	1158
Mar. 21	Bromm-Crosby AM2910 to Com AM2432 printed	1162
Mar. 21	Kristensen AM2776 to Com AM2432 printed	1164
Mar. 21	Janssen AM2975 to Com AM2432 printed	1195
Mar. 22	Wickersham-Bohlke-Coordsen-Dierks-Hartnett-Landis-Raikes-Redfield AM2984 printed separate. Thompson AM2783 to Com AM2432 printed	1205
Mar. 22	Bromm AM2990 to Com AM2432 printed	1215
Mar. 22	Raikes AM3004 printed	1226
Mar. 22	Raikes AM3012 printed	1227
Mar. 23	Coordsen AM2896 to Com AM2432 printed	1264

Mar. 24	AM7240 (E & R) p. 1154 adopted. Coordsen unanimous consent to replace pending AM2479 p. 928 with substitute amendment. No objections. Wickersham et al. substitute pending AM2984 (printed separate) adopted. Coordsen unanimous consent to replace pending AM2834 p. 1068 with substitute amendment. No objections. Coordsen AM2834 p. 1068 withdrawn. Coordsen substitute pending AM2896 p. 1264 adopted. Wickersham unanimous consent to replace pending AM2836 (printed separate) with substitute amendment. No objections. Wickersham pending AM2836 (printed separate) withdrawn. Coordsen substitute pending AM2479 p. 928 withdrawn	1291
Mar. 24	Landis unanimous consent to replace pending AM2847 p. 1158 with substitute amendment. No objections. Landis AM2847 p. 1158 withdrawn. Landis substitute AM3014 adopted. Bromm-Crosby pending AM2910 p. 1162 lost. Kristensen AM2776 p. 1164 and Janssen AM2975 p. 1195 withdrawn. Thompson pending AM2783 p. 1205 lost. Bromm AM2990 p. 1215, Raikes AM3004 p. 1226, and AM3012 p. 1227 withdrawn. Advanced for Engrossment	1300
Mar. 27	Correctly Engrossed. ER9146 change	1373
Apr. 3	Dispensing of reading at large approved. Final Reading w/E 44-0-5	1520
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

(Provisions/portions of LB 967 amended into LB 968 by AM2984)
(Provisions/portions of LB 1042 amended into LB 968 by AM2984)
(Provisions/portions of LB 1048 amended into LB 968 by Com AM2432)
(Provisions/portions of LB 1098 amended into LB 968 by AM3014)
(Provisions/portions of LB 1100 amended into LB 968 by AM2896)
(Provisions/portions of LB 1145 amended into LB 968 by AM3014)
(Provisions/portions of LB 1188 amended into LB 968 by Com AM2432)
(Provisions/portions of LB 1260 amended into LB 968 by Com AM2432)
(Provisions/portions of LB 1276 amended into LB 968 by AM2984)
(Provisions/portions of LB 1279 amended into LB 968 by AM2984)

LEGISLATIVE BILL 968A. By Wickersham

Mar. 15	Read first time. Placed on General File	1100
Mar. 22	Advanced for Review	1199
Mar. 22	Placed on Select File	1216
Mar. 24	Advanced for Engrossment	1306

Mar. 27	Correctly Engrossed	1373
Apr. 3	Final Reading 42-0-7	1522
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

LEGISLATIVE BILL 969. By Thompson

Jan. 5	Read first time	142
Jan. 10	Referred to Transportation Committee	181
Jan. 10	Notice of hearing (1/18)	206
Jan. 19	Dw. Pedersen name added	341
Jan. 21	Placed on General File - Com AM2053	375
Feb. 22	Speaker priority bill	760
Mar. 24	Coordsen AM3069 printed	1292
Apr. 5	Com AM2053 p. 375 pending	1602
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 970. By Thompson, Byars

Jan. 5	Read first time	142
Jan. 10	Referred to Transportation Committee	181
Jan. 10	Notice of hearing (1/18)	206
Jan. 19	Dw. Pedersen name added	341
Jan. 21	Placed on General File	374
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 970 amended into LB 410 by AM2130)

LEGISLATIVE BILL 971. By Brown, Dierks

Jan. 5	Read first time	142
Jan. 10	Referred to Judiciary Committee	181
Feb. 8	Notice of hearing (2/16)	580
Apr. 11	Brashear AM3372 printed (on file)	1725
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 972. By Brown, Beutler, Jensen, Wehrbein

Jan. 5	Read first time	142
Jan. 10	Referred to Judiciary Committee	181
Jan. 21	Notice of hearing (1/28)	371
Feb. 22	Jensen priority bill	751
Mar. 9	Placed on General File - Com AM2558	982
Mar. 14	Bourne AM2699 to Com AM2558 printed	1057
Apr. 4	Com AM2558 p. 982 pending. Bourne pending AM2699 p. 1057 pending	1557
Apr. 4	Kristensen AM3268 to Com AM2558 printed	1557

Apr. 5	Com AM2558 p. 982 adopted as amended by Bourne pending AM2699 p. 1057 and Kristensen pending AM3268 p. 1557. Brashear AM3312 to AM3268, Wickersham AM3320, and Brashear AM3315 adopted. Advanced for Review	1607
Apr. 6	Placed on Select File - AM7274 (printed separate)	1638
Apr. 10	AM7274 (E & R) (printed separate) adopted. Bourne AM3345 and Beutler AM3357 to AM7274 adopted. Advanced for Engrossment	1675
Apr. 10	Correctly Engrossed. ER9172 change	1690
Apr. 12	Dispensing of reading at large approved. Final Reading w/E 47-0-2	1754
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 972A. By Brown

Mar. 23	Read first time. Placed on General File	1256
Apr. 4	Kristensen AM3275 printed	1557
Apr. 4	Brown AM3120 printed	1558
Apr. 5	Kristensen AM3275 p. 1557 withdrawn. Brown pending AM3120 p. 1558 adopted. Kristensen reoffered AM3275 p. 1557 adopted. Advanced for Review	1609
Apr. 6	Placed on Select File	1638
Apr. 10	Advanced for Engrossment	1676
Apr. 10	Correctly Engrossed	1690
Apr. 10	ER9171 change	1691
Apr. 12	Final Reading 47-0-2	1755
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 973. By General Affairs Committee

Jan. 5	Read first time	143
Jan. 10	Referred to General Affairs Committee	181
Jan. 12	Notice of hearing (1/24)	268
Feb. 2	Placed on General File - Com AM2218	522
Feb. 16	General Affairs Committee priority bill	714
Mar. 2	Com AM2218 p. 522 pending. Chambers FA303 to Com AM2218 adopted	878
Mar. 7	Chambers FA310 to Com AM2218 printed. Chambers AM2647 printed separate	933
Mar. 8	Wickersham-Janssen AM2680 printed	942

Mar. 10	Jensen AM2770 printed	1019
Mar. 15	Com AM2218 p. 522 adopted as amended. Chambers pending AM2647 (printed separate) lost	1098
Mar. 16	Chambers motion to reconsider vote on AM2647 printed	1103
Mar. 21	Chambers AM2962 printed	1180
Mar. 22	Chambers motion p. 1103 to reconsider vote on AM2647 withdrawn. Wickersham-Janssen pending AM2680 p. 942 and Jensen AM2770 p. 1019 adopted. Hilgert motion to reconsider vote on Jensen AM2770 withdrawn. Chambers FA310 p. 933 withdrawn. Chambers pending AM2962 p. 1180 adopted. Advanced for Review	1200
Mar. 23	Placed on Select File - AM7244 (printed separate)	1232
Mar. 24	Janssen AM3053 to AM7244 printed	1287
Mar. 27	AM7244 (E & R) (printed separate) adopted. Janssen pending AM3053 p. 1287 adopted. Advanced for Engrossment	1338
Mar. 28	Correctly Engrossed	1408
Apr. 6	Final Reading 46-1-2	1627
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 1094 amended into LB 973 by AM2770)

LEGISLATIVE BILL 973A. By Janssen

Mar. 27	Read first time. Placed on General File	1344
Mar. 28	Janssen AM3116 printed	1396
Mar. 29	Janssen pending AM3116 p. 1396 adopted. Advanced for Review	1417
Mar. 29	Placed on Select File	1422
Apr. 3	Advanced for Engrossment	1482
Apr. 3	Correctly Engrossed	1498
Apr. 6	Final Reading 47-0-2	1628
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 974. By General Affairs Committee

Jan. 5	Read first time	143
Jan. 10	Referred to Judiciary Committee	181
Jan. 13	Notice of hearing (1/20)	280
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 975. By General Affairs Committee

Jan. 5	Read first time	143
Jan. 10	Referred to General Affairs Committee	181
Jan. 12	Notice of hearing (1/24)	268
Feb. 2	Placed on General File - Com AM2093	522
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 976. By General Affairs Committee

Jan. 5	Read first time	143
Jan. 10	Referred to General Affairs Committee	181
Jan. 18	Notice of hearing (1/31)	305
Feb. 2	Placed on General File	521
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 977. By General Affairs Committee

Jan. 5	Read first time	144
Jan. 10	Referred to General Affairs Committee	181
Jan. 12	Notice of hearing (1/24)	268
Jan. 31	Placed on General File	501
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 978. By General Affairs Committee

Jan. 5	Read first time	144
Jan. 10	Referred to Appropriations Committee	181
Jan. 25	Notice of hearing (2/2)	417
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 979. By General Affairs Committee

Jan. 5	Read first time	144
Jan. 10	Referred to General Affairs Committee	181
Jan. 12	Notice of hearing (1/24)	268
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 980. By Hudkins

Jan. 5	Read first time	144
Jan. 10	Referred to Natural Resources Committee	181
Jan. 19	Notice of hearing (1/26)	327
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 981. By Hudkins

Jan. 5	Read first time	144
Jan. 10	Referred to Health and Human Services Committee	181
Jan. 18	Notice of hearing (1/28)	306

Mar. 29	Placed on General File - Com AM3065 (printed separate)	1423
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 982. By Connealy, Baker, Crosby, Cudaback, Dierks, Janssen, Jones, Wehrbein

Jan. 5	Read first time	144
Jan. 10	Referred to General Affairs Committee	181
Jan. 18	Notice of hearing (1/31)	305
Feb. 2	Placed on General File	521
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 983. By Connealy, Jensen, Schimek, Suttle, Thompson, Wehrbein

Jan. 5	Read first time	145
Jan. 10	Referred to Health and Human Services Committee	181
Jan. 12	Notice of hearing (1/20)	251
Jan. 25	Placed on General File	416
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 984. By Redfield

Jan. 5	Read first time	145
Jan. 10	Referred to Judiciary Committee	181
Jan. 13	Notice of hearing (1/21)	281
Jan. 25	Placed on General File - Com AM2069	419
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 985. By Redfield, Bruning, Hilgert, Jensen, Preister, Quandahl, Schmitt, Smith

Jan. 5	Read first time	145
Jan. 10	Referred to Revenue Committee	181
Jan. 24	Notice of hearing (2/9)	412
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 986. By Redfield, Baker, Bruning, Hilgert, Jensen, Kremer, Quandahl, Robak, Schimek, Schmitt, Schrock, Smith

Jan. 5	Read first time	145
Jan. 10	Referred to Education Committee	181
Jan. 11	Notice of hearing (1/18)	231
Jan. 11	D. Pederson name added	245
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 987. By Redfield, Baker, Beutler, Brown, Bruning, Crosby, Dierks, Engel, Hilgert, Jensen, Kiel, Kremer, Preister, Quandahl, Raikes, Robak, Schmitt, Schrock, Smith, Stuhr, Suttle

Jan. 5	Read first time	145
Jan. 6	Jones and Price names added	163
Jan. 10	Referred to Revenue Committee	181
Jan. 10	Dw. Pedersen name added	203
Jan. 13	Notice of hearing (1/27)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 988. By Schimek

Jan. 5	Read first time	145
Jan. 10	Referred to Education Committee	204
Jan. 11	Notice of hearing (1/18)	231
Jan. 20	Indefinitely postponed	343

LEGISLATIVE BILL 989. By Connealy, Beutler, Bourne, Brashear, Bromm, Bruning, Hilgert, Matzke, Dw. Pedersen, Smith

Jan. 5	Read first time	146
Jan. 10	Referred to Judiciary Committee	204
Jan. 13	Notice of hearing (1/21)	281
Jan. 25	Placed on General File	418
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 990. By Beutler, Smith

Jan. 5	Read first time	146
Jan. 10	Referred to Revenue Committee	204
Jan. 24	Notice of hearing (2/9)	412
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 991. By Vrtiska

Jan. 5	Read first time	146
Jan. 10	Referred to Transportation Committee	204
Jan. 26	Notice of hearing (2/22)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 992. By Landis, Matzke, Robak, Vrtiska

Jan. 5	Read first time	146
Jan. 10	Referred to Natural Resources Committee	204
Jan. 19	Notice of hearing (1/27)	327
Feb. 2	Placed on General File - Com AM2245	524
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 992 amended into LB 957 by AM2748)

LEGISLATIVE BILL 992A. By Landis

Feb. 7	Read first time. Placed on General File	571
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 993. By Landis, Price

Jan. 5	Read first time	146
Jan. 10	Referred to Judiciary Committee	204
Jan. 10	D. Pederson name added	203
Jan. 28	Redfield name added	494
Feb. 8	Notice of hearing (2/16)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 994. By Dw. Pedersen, at the request of the Governor

Jan. 5	Read first time	147
Jan. 10	Referred to Judiciary Committee	204
Feb. 2	Notice of hearing (2/9)	523
Feb. 2	Smith priority bill	530
Feb. 14	Placed on General File	658
Feb. 14	Smith name added	682
Feb. 22	Chambers FA297 pending. Brashear FA298 to FA297 pending	755
Feb. 23	Chambers pending FA297 p. 755 adopted as amended by Brashear pending FA298 p. 756. Advanced for Review	767
Feb. 25	Placed on Select File - AM7208 (printed separate)	811
Mar. 7	AM7208 (E & R) (printed separate) adopted. Advanced for Engrossment	921
Mar. 9	Correctly Engrossed. ER9123 change	970
Mar. 16	Motion to return to Select File for Chambers specific FA332 withdrawn. Dispensing of reading at large approved. Final Reading 42-0-7	1107
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 22	Approved by Governor (3/22)	1202

LEGISLATIVE BILL 995. By Robak, Kiel

Jan. 5	Read first time	147
Jan. 10	Referred to Health and Human Services Committee	204
Jan. 12	Notice of hearing (1/21)	251
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 996. By Robak

Jan. 5	Read first time	147

Jan. 10	Referred to Education Committee	204
Jan. 11	Notice of hearing (1/18)	231
Jan. 20	Indefinitely postponed	343

LEGISLATIVE BILL 997. By Robak, Price, Redfield

Jan. 5	Read first time	147
Jan. 10	Referred to Transportation Committee	204
Jan. 18	Notice of hearing (1/25)	298
Jan. 28	Indefinitely postponed	488

LEGISLATIVE BILL 998. By D. Pederson, Aguilar, Cudaback, Engel, Matzke, Quandahl

Jan. 5	Read first time	147
Jan. 10	Referred to Judiciary Committee	204
Jan. 19	Notice of hearing (1/27)	328
Feb. 1	Placed on General File - Com AM2179	508
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 999. By Schrock

Jan. 5	Read first time	147
Jan. 10	Referred to Natural Resources Committee	204
Jan. 13	Notice of hearing (1/21)	280
Jan. 24	Placed on General File	404
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1000. By Schrock, Bruning, Hartnett, Smith

Jan. 5	Read first time	147
Jan. 10	Referred to Natural Resources Committee	204
Jan. 13	Notice of hearing (1/21)	280
Jan. 25	Placed on General File	420
Feb. 22	Speaker priority bill	760
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1000 amended into LB 1234 by AM3324)

LEGISLATIVE BILL 1000A. By Schrock

Feb. 2	Read first time. Placed on General File	529
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1001. By Vrtiska

Jan. 5	Read first time	148
Jan. 10	Referred to Education Committee	204
Jan. 25	Notice of hearing (2/1)	415
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1002. By Redfield

Jan. 5	Read first time	148
Jan. 10	Referred to Transportation Committee	204
Jan. 24	Notice of hearing (2/1)	406
Feb. 7	Indefinitely postponed	568

LEGISLATIVE BILL 1003. By Schrock, Brown, Dierks, Hilgert, Price, Smith, Tyson

Jan. 5	Read first time	148
Jan. 10	Referred to Education Committee	204
Jan. 13	Notice of hearing (1/24)	274
Feb. 14	D. Pederson priority bill	658
Feb. 14	D. Pederson name added	682
Mar. 9	Placed on General File - Com AM2695 (printed separate)	987
Mar. 14	Wickersham AM2806 printed	1057
Mar. 15	D. Pederson AM2881 to Com AM2695 printed	1093
Mar. 29	Com AM2695 (printed separate) adopted as amended by D. Pederson AM2881 p. 1093. Wickersham pending AM2806 p. 1057 adopted. Stuhr FA359 to Com AM2695 adopted. Advanced for Review	1430
Apr. 3	Placed on Select File - AM7252 (printed separate)	1487
Apr. 3	D. Pederson-Schrock AM3252 to AM7252 printed	1537
Apr. 5	AM7252 (E & R) (printed separate) adopted. D. Pederson unanimous consent to replace D. Pederson-Schrock AM3252 p. 1537 with substitute amendment. No objections. D. Pederson-Schrock AM3252 p. 1537 withdrawn. D. Pederson-Schrock substitute AM3326 to AM7252 adopted. Beutler AM3269 to AM7252 adopted. Advanced for Engrossment	1614
Apr. 6	Correctly Engrossed	1644
Apr. 11	Dispensing of reading at large approved. Final Reading 46-0-3	1709
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1003A. By Schrock

Apr. 3	Read first time. Placed on General File	1484
Apr. 4	Advanced for Review	1540
Apr. 4	Placed on Select File	1545
Apr. 5	Advanced for Engrossment	1615
Apr. 6	Correctly Engrossed	1644

Apr. 11	Final Reading 45-0-4	1710
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1004. By Engel, Baker, Brashear, Bromm, Brown, Bruning, Byars, Connealy, Coordsen, Crosby, Dickey, Dierks, Hartnett, Jensen, Jones, Kremer, Matzke, D. Pederson, Preister, Price, Raikes, Redfield, Schmitt, Schrock, Smith, Tyson, Vrtiska, Wehrbein, Wickersham

Jan. 5	Read first time	148
Jan. 10	Referred to Transportation Committee	204
Jan. 21	Notice of hearing (1/31)	373
Jan. 21	Engel priority bill	375
Feb. 7	Placed on General File - Com AM2239	566
Feb. 8	Schimek name added	597
Feb. 11	Com AM2239 p. 566 adopted as amended by Chambers FA288. Advanced for Review	641
Feb. 15	Placed on Select File - AM7197 (printed separate)	695
Feb. 24	Suttle AM2513 to AM7197 printed	783
Feb. 24	Chambers AM2483 printed separate	796
Mar. 1	Chambers-D. Pederson AM2582 printed separate	861
Mar. 8	AM7197 (E & R) (printed separate) adopted. Suttle AM2513 p. 783 and Chambers pending AM2483 (printed separate) withdrawn. Chambers-D. Pederson pending AM2582 (printed separate) adopted as amended by Suttle AM2652. Chambers FA312 to AM2582 adopted. Landis motion to bracket until 3/10/2000 withdrawn	952
Mar. 10	Bromm-Hilgert-Chambers-Engel AM2740 to AM2582 printed	1015
Mar. 16	Bromm et al. pending AM2740 p. 1015 adopted. Advanced for Engrossment	1122
Mar. 21	Correctly Engrossed. ER9132 change	1185
Mar. 23	Bromm-Engel AM3018 printed separate	1254
Apr. 5	Kristensen AM3253 to AM3018 printed	1604
Apr. 6	Returned to Select File for Bromm-Engel specific AM3018 (printed separate). Bromm-Engel specific AM3018 (printed separate) adopted. Advanced for Reengrossment. Returned to Select File for Kristensen specific AM3253 p. 1604. Kristensen specific AM3252 p. 1604 adopted. Advanced for Reengrossment	1623
Apr. 6	Correctly Reengrossed	1644

Apr. 11	Dispensing of reading at large approved. Final Reading 47-0-2	1711
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 1089 amended into LB 1004 by AM2652)

LEGISLATIVE BILL 1005. By Engel

Jan. 5	Read first time	149
Jan. 10	Referred to Health and Human Services Committee	204
Jan. 12	Notice of hearing (1/21)	251
Jan. 25	Placed on General File	416
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1006. By Engel, Connealy, Dickey

Jan. 5	Read first time	149
Jan. 10	Referred to Revenue Committee	204
Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 1007. By Redfield, Bruning, Hilgert

Jan. 5	Read first time	149
Jan. 10	Referred to Business and Labor Committee	204
Jan. 13	Notice of hearing (1/24)	281
Feb. 10	Placed on General File - Com AM2099	616
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1008. By Chambers, Brashear

Jan. 5	Read first time	149
Jan. 10	Referred to Judiciary Committee	204
Jan. 13	Notice of hearing (1/21)	281
Jan. 25	Placed on General File	418
Feb. 2	Chambers AM2194 printed	530
Feb. 10	Judiciary Committee priority bill	632
Mar. 30	Chambers pending AM2194 p. 530 adopted. Advanced for Review	1459
Apr. 3	Placed on Select File - AM7263	1490
Apr. 6	AM7263 (E & R) p. 1490 adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading w/E 48-0-1	1712
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726

Apr. 12	Approved by Governor with line-item veto (4/11)	1747
Apr. 12	Communication	1782

LEGISLATIVE BILL 1008A. By Chambers

Mar. 30	Read first time. Placed on General File	1458
Apr. 4	Advanced for Review	1540
Apr. 4	Placed on Select File	1545
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 47-0-2	1712
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1009. By Dierks

Jan. 5	Read first time	149
Jan. 10	Referred to Agriculture Committee	204
Jan. 21	Notice of hearing (2/1)	374
Feb. 28	Indefinitely postponed	821

(Provisions/portions of LB 1009 amended into LB 213 by AM2380)

LEGISLATIVE BILL 1010. By Baker, Bohlke, Bromm, Engel, Jones, Kremer, Matzke, Raikes, Stuhr, Wehrbein

Jan. 5	Read first time	149
Jan. 10	Baker priority bill	185
Jan. 10	Referred to Education Committee	204
Jan. 13	Notice of hearing (1/24)	274
Mar. 21	Placed on General File - Com AM2876	1164
Mar. 27	Com AM2876 p. 1164 pending. Wickersham-Baker AM3105 to Com AM2876 adopted	1381
Mar. 27	Chambers FA347 to AM3105 adopted. Com AM2876 p. 1164 adopted as amended. Advanced for Review	1385
Mar. 29	Placed on Select File - AM7248	1414
Apr. 3	AM7248 (E & R) p. 1414 adopted. Kristensen AM3231 to Com AM2876 pending. Bromm FA368 to AM3231 adopted	1533
Apr. 3	Wickersham FA369 to AM3231 adopted. Kristensen pending AM3231 p. 1533 pending	1538
Apr. 5	Kristensen pending AM3231 p. 1533 lost. Advanced for Engrossment	1612
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 29-15-5	1713
Apr. 11	President signed	1724

Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1011. By Byars

Jan. 6	Read first time	153
Jan. 10	Referred to Appropriations Committee	205
Jan. 24	Notice of hearing (2/8)	406
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1012. By Bruning, Hartnett, Thompson

Jan. 6	Read first time	154
Jan. 10	Referred to Transportation Committee	205
Jan. 13	Notice of hearing (1/24)	287
Jan. 28	Placed on General File	488
Feb. 10	Redfield name added	634
Mar. 2	Passed over	884
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1013. By Brashear

Jan. 6	Read first time	154
Jan. 10	Referred to Judiciary Committee	205
Jan. 12	Notice of hearing (1/19)	251
Feb. 8	Placed on General File - Com AM2249	581
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1013 amended into LB 921 by AM2613)

LEGISLATIVE BILL 1014. By Hartnett, Bruning, Dw. Pedersen, Preister, Thompson

Jan. 6	Read first time	154
Jan. 10	Referred to Revenue Committee	205
Jan. 24	Notice of hearing (2/3)	411
Feb. 2	Bruning name withdrawn	533
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1015. By Kremer, Coordsen, Dierks, Engel, Hudkins, Jones, Quandahl, Redfield, Schrock, Smith, Stuhr, Wehrbein

Jan. 6	Read first time	154
Jan. 10	Referred to Revenue Committee	205
Jan. 25	Notice of hearing (2/11)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1016. By Janssen, Lynch

Jan. 6	Read first time	154
Jan. 10	Referred to Transportation Committee	205

Jan. 26	Notice of hearing (2/22)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1017. By Matzke, Baker, Connealy, Coordsen, Dierks, Jones, Kremer, Schrock, Wehrbein

Jan. 6	Read first time	154
Jan. 10	Referred to Revenue Committee	205
Jan. 10	Bromm name added	226
Jan. 24	Notice of hearing (2/2)	411
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1018. By Transportation Committee, Connealy, Cudaback, Janssen, Kremer, Lynch, D. Pederson

Jan. 6	Read first time	155
Jan. 7	Kremer priority bill	167
Jan. 7	Hartnett name added	176
Jan. 10	Referred to Transportation Committee	205
Jan. 10	Aguilar name added	226
Jan. 12	Schrock and Stuhr names added	272
Jan. 13	Notice of hearing (1/24)	287
Jan. 13	Engel name added	296
Jan. 19	Matzke name added	341
Jan. 28	Placed on General File	488
Feb. 9	Bromm AM2348 printed	605
Feb. 14	Bromm pending AM2348 p. 605 pending	672
Feb. 14	Vrtiska name added	682
Feb. 15	Chair sustained request for division of question on Bromm pending AM2348 p. 605. Bromm FA289 (1st) adopted	691
Feb. 15	Bromm FA290 (2nd) and AM2426 adopted. Chambers FA291 to AM2426 adopted	702
Feb. 16	Chambers FA292, FA293, and Beutler AM2442 adopted. Chambers FA294 and Beutler AM2443 withdrawn. Bromm FA295 adopted. Advanced for Review	711
Feb. 22	Placed on Select File - AM7201 (printed separate)	761
Feb. 23	Kremer AM2488 to AM7201 printed	771
Feb. 24	Thompson AM2498 printed separate. Beutler AM2544 and Bromm AM2548 to AM7201 printed	797
Mar. 9	AM7201 (E & R) (printed separate) adopted. Kremer pending AM2488 p. 771 adopted. Thompson pending AM2498 (printed separate) withdrawn. Beutler pending AM2544 p. 797 and Bromm AM2548 p. 797 adopted. Chambers FA315 to AM7201 adopted. Robak AM2747 to AM7201 withdrawn. Chambers FA316 adopted. Advanced for Engrossment	986

Mar. 13	Correctly Engrossed. ER9124 change	1045
Mar. 16	Dispensing of reading at large approved. Final Reading 43-2-4	1114
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

(Provisions/portions of LB 1268 amended into LB 1018 by AM2488)
(Provisions/portions of LB 1419 amended into LB 1018 by AM2488)

LEGISLATIVE BILL 1019. By Bromm

Jan. 6	Read first time	155
Jan. 10	Referred to Transportation Committee	205
Jan. 13	Notice of hearing (1/24)	287
Jan. 28	Placed on General File	488
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1020. By Schrock, Connealy, Hudkins, Matzke, Raikes, Stuhr, Vrtiska

Jan. 6	Read first time	155
Jan. 10	Referred to Transportation Committee	205
Jan. 18	Notice of hearing (1/25)	298
Jan. 28	Indefinitely postponed	488

LEGISLATIVE BILL 1021. By Chambers

Jan. 6	Read first time	155
Jan. 10	Referred to Government, Military and Veterans Affairs Committee	205
Jan. 12	Notice of hearing (1/19)	267
Jan. 12	Bromm name added	272
Feb. 10	Chambers priority bill	615
Mar. 14	Placed on General File - Com AM2841	1059
Mar. 28	Coordsen FA349 to Com AM2841 printed	1403
Mar. 28	Coordsen FA350, FA351, FA352, and FA353 to Com AM2841 printed	1404
Mar. 30	Schimek-Wickersham AM3201 to Com AM2841 printed	1470
Apr. 4	Com AM2841 p. 1059 pending. Coordsen unanimous consent to replace pending FA349 p. 1403 with substitute amendment. No objections. Coordsen FA349 p. 1403 withdrawn. Schimek-Wickersham substitute pending AM3201 p. 1470 adopted	1544

Apr. 4	Coordsen unanimous consent to replace pending FA350 p. 1404 with substitute amendment. No objections. Coordsen FA350 p. 1404 withdrawn. Coordsen substitute FA362 to AM3201 adopted. Coordsen FA351, FA352, and FA353 p. 1404 withdrawn. Beutler AM3254 to AM3201 withdrawn. Beutler AM3227 to AM3201 pending	1546
Apr. 4	Beutler unanimous consent to replace pending AM3227 p. 1547 with substitute amendment. No objections. Beutler AM3227 p. 1547 withdrawn. Beutler substitute AM3281 to AM3201 adopted. Beutler AM3226 and Bromm AM3256 to AM3201 withdrawn. Com AM2841 p. 1059 adopted as amended. Advanced for Review	1552
Apr. 4	Wickersham AM3277 to AM3201 printed	1554
Apr. 5	Placed on Select File - AM7267 (printed separate)	1596
Apr. 6	Brashear AM3287 to AM7267 printed	1624
Apr. 6	Brashear AM3319 to AM7267 printed	1625
Apr. 6	Schimek-Wickersham AM3321 to AM7267 printed	1647
Apr. 10	AM7267 (E & R) (printed separate) adopted. Wickersham unanimous consent to replace pending AM3277 p. 1554 with substitute amendment. No objections. Wickersham AM3277 p. 1554 withdrawn. Schimek-Wickersham substitute pending AM3321 p. 1647 pending. Beutler AM3353 to AM3321 adopted. Beutler AM3352 to AM3321 pending	1661
Apr. 10	Beutler AM3352 p. 1662 withdrawn. Smith-Bohlke-Engel-Landis-D. Pederson-Kremer-Baker motion to reconsider vote on Beutler AM3353 prevailed	1662
Apr. 10	Beutler reconsidered AM3353 p. 1661 withdrawn. Schimek AM3355 to AM3321 adopted. Brashear AM3347 to AM3321 pending	1671
Apr. 10	Brashear unanimous consent to replace pending AM3347 p. 1671 with substitute amendment. No objections. Brashear AM3347 p. 1671 withdrawn. Brashear substitute AM3365 to AM3321 adopted. Brashear AM3348 to AM3321 and Brashear FA401 to AM3348 adopted. Wickersham FA402 to AM3321 withdrawn. Coordsen FA403 to AM3321 adopted. Schimek-Wickersham AM3321 adopted as amended. Brashear AM3287 p. 1624 and AM3319 p. 1625 withdrawn. Advanced for Engrossment	1673
Apr. 10	Correctly Engrossed	1690
Apr. 10	ER9173 change	1691
Apr. 11	Correction	1701

Apr. 12	Bruning motion to bracket until 4/12/2000 withdrawn. Final Reading 42-6-1	1756
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1022. By Robak, Kiel, Suttle, Thompson

Jan. 6	Read first time	155
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 18	Notice of hearing (1/26)	306
Jan. 28	Placed on General File	488
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1022A. By Robak

Apr. 3	Read first time. Placed on General File	1483
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1023. By Hudkins, Dierks

Jan. 6	Read first time	156
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 12	Notice of hearing (1/21)	251
Jan. 13	Notice of hearing (1/21) (cancel)	283
Jan. 18	Notice of hearing (1/27) (reschedule)	306
Feb. 15	Placed on General File - Com AM2244	698
Mar. 2	Com AM2244 p. 698 adopted. Advanced for Review	884
Mar. 7	Placed on Select File - AM7216	913
Mar. 14	Jensen-Dierks AM2814 to AM7216 printed	1057
Mar. 16	AM7216 (E & R) p. 913 adopted. Jensen-Dierks pending AM2814 p. 1057 pending. Passed over	1135
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1023 amended into LB 833 by AM3063)

LEGISLATIVE BILL 1024. By Suttle, Bourne, Hilgert, Kiel

Jan. 6	Read first time	156
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Preister name added	266
Feb. 1	Notice of hearing (2/29)	514
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1025. By Suttle, Byars, Price

Jan. 6	Read first time	156
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 24	Notice of hearing (2/3)	405

Feb. 22	Speaker priority bill	760
Feb. 23	Placed on General File - Com AM2321	768
Mar. 2	Suttle AM2592 to Com AM2321 printed	885
Apr. 5	Com AM2321 p. 768 adopted as amended by Suttle pending AM2592 p. 885. Advanced for Review	1601
Apr. 6	Placed on Select File - AM7270	1637
Apr. 10	AM7270 (E & R) p. 1637 adopted. Advanced for Engrossment	1683
Apr. 10	Correctly Engrossed	1690
Apr. 12	Final Reading 46-0-3	1757
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1025A. By Suttle

Mar. 27	Read first time. Placed on General File	1333
Apr. 5	Advanced for Review	1601
Apr. 6	Placed on Select File	1637
Apr. 10	Advanced for Engrossment	1683
Apr. 10	Correctly Engrossed	1690
Apr. 12	Final Reading 45-0-4	1758
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1026. By Bruning

Jan. 6	Read first time	156
Jan. 7	Suttle name added	176
Jan. 10	Referred to Transportation Committee	205
Jan. 21	Notice of hearing (1/31)	373
Feb. 8	Redfield name added	597
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1027. By Robak, Schmitt

Jan. 6	Read first time	156
Jan. 10	Referred to Transportation Committee	205
Jan. 13	Notice of hearing (1/24)	288
Feb. 7	Placed on General File - Com AM2256	567
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1027A. By Robak

Apr. 3	Read first time. Placed on General File	1483
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1028. By Schmitt, Dierks

Jan. 6	Read first time	156
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 18	Notice of hearing (1/28)	306
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1029. By Jensen, Price, Suttle

Jan. 6	Read first time	157
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 24	Notice of hearing (2/3)	405
Mar. 1	Placed on General File	856
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1030. By Thompson, Bourne, Bruning, Connealy, Hilgert, Dw. Pedersen, Redfield, Robak

Jan. 6	Read first time	157
Jan. 10	Referred to Judiciary Committee	205
Jan. 13	Notice of hearing (1/20)	280
Mar. 9	Indefinitely postponed	985

LEGISLATIVE BILL 1031. By Thompson, Bruning, Hartnett

Jan. 6	Read first time	157
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/21)	280
Feb. 11	Placed on General File	641
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1032. By Price

Jan. 6	Read first time	157
Jan. 10	Referred to Transportation Committee	205
Jan. 26	Notice of hearing (2/22)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1033. By Thompson, Preister, Schmitt

Jan. 6	Read first time	157
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 31	Notice of hearing (2/11)	502
Feb. 23	Placed on General File - Com AM2394	768
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1033 amended into LB 1115 by AM3025)

LEGISLATIVE BILL 1034. By Robak

Jan. 6	Read first time	157

Jan. 10	Referred to General Affairs Committee	205
Jan. 27	Notice of hearing (2/7)	467
Feb. 17	Indefinitely postponed	744

LEGISLATIVE BILL 1035. By Stuhr, Baker, Crosby, Hilgert, Hudkins, Price, Schrock

Jan. 6	Read first time	157
Jan. 10	Referred to Judiciary Committee	205
Feb. 8	Notice of hearing (2/16)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1036. By Stuhr

Jan. 6	Read first time	158
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 1037. By Quandahl

Jan. 6	Read first time	158
Jan. 10	Referred to Judiciary Committee	205
Jan. 26	Notice of hearing (2/3)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1038. By Quandahl, Kiel

Jan. 6	Read first time	158
Jan. 10	Referred to Banking, Commerce and Insurance Committee	205
Jan. 21	Notice of hearing (2/1)	376
Feb. 3	Placed on General File	535
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1039. By Quandahl, Kiel

Jan. 6	Read first time	158
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 1040. By Beutler, Preister, Schrock

Jan. 6	Read first time	158
Jan. 10	Referred to Natural Resources Committee	205
Jan. 13	Notice of hearing (1/21)	280
Jan. 26	Placed on General File - Com AM2127	443
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1040 amended into LB 1234 by AM3181)

LEGISLATIVE BILL 1041. By Beutler

Jan. 6	Read first time	158
Jan. 10	Referred to Revenue Committee	205
Jan. 31	Notice of hearing (2/28)	506
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1042. By Wickersham, Kristensen

Jan. 6	Read first time	159
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Notice of hearing (1/20)	264
Jan. 24	Indefinitely postponed	404

(Provisions/portions of LB 1042 amended into LB 968 by AM2984)

LEGISLATIVE BILL 1043. By Wickersham

Jan. 6	Read first time	159
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Notice of hearing (1/20)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 1044. By Wickersham

Jan. 6	Read first time	159
Jan. 10	Referred to Revenue Committee	205
Jan. 12	Bromm name added	266
Jan. 24	Notice of hearing (2/2)	411
Feb. 8	Vrtiska name added	597
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1045. By Wickersham

Jan. 6	Read first time	159
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/26)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1046. By Wickersham, Bohlke, Coordsen

Jan. 6	Read first time	159
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/26)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1047. By Wickersham, Coordsen

Jan. 6	Read first time	160
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/26)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1048. By Wickersham

Jan. 6	Read first time	160
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/21)	280
Feb. 11	Indefinitely postponed	642

(Provisions/portions of LB 1048 amended into LB 968 by Com AM2432)

LEGISLATIVE BILL 1049. By Wickersham, Redfield, Schrock, Wehrbein

Jan. 6	Read first time	160
Jan. 10	Referred to Revenue Committee	205
Jan. 25	Notice of hearing (2/10)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1050. By Suttle, Beutler

Jan. 6	Read first time	160
Jan. 10	Referred to Transportation Committee	205
Jan. 21	Notice of hearing (2/1)	374
Feb. 7	Indefinitely postponed	568

LEGISLATIVE BILL 1051. By Robak, Crosby, Suttle

Jan. 6	Read first time	160
Jan. 10	Referred to Health and Human Services Committee	205
Jan. 18	Notice of hearing (1/26)	306
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1052. By Dierks

Jan. 6	Read first time	160
Jan. 10	Referred to Agriculture Committee	205
Jan. 21	Notice of hearing (2/1)	374
Feb. 8	Placed on General File - Com AM2261	581
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1052 amended into LB 213 by AM2380)

LEGISLATIVE BILL 1053. By Jones, Kremer, Schmitt, Smith, Wehrbein

Jan. 6	Read first time	161
Jan. 10	Referred to Natural Resources Committee	205
Jan. 19	Notice of hearing (1/26)	327
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1054. By Jones, Baker, Kremer, Schmitt, Smith

Jan. 6	Read first time	161

Jan. 10	Referred to Education Committee	205
Jan. 13	Notice of hearing (1/24)	274
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1055. By Jones

Jan. 6	Read first time	161
Jan. 10	Referred to Revenue Committee	205
Jan. 13	Notice of hearing (1/21)	280
Feb. 11	Indefinitely postponed	642

LEGISLATIVE BILL 1056. By Jones, Bromm, Cudaback, Dierks, Hudkins, Schmitt, Schrock, Wickersham

Jan. 6	Read first time	161
Jan. 10	Referred to Education Committee	205
Jan. 25	Notice of hearing (2/1)	415
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1057. By Jones, Connealy, Dickey, Dierks, Engel, Hudkins, Kremer, Redfield, Schmitt, Tyson, Wehrbein

Jan. 6	Read first time	161
Jan. 10	Referred to Revenue Committee	205
Jan. 24	Notice of hearing (2/3)	411
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1058. By Wickersham, Matzke, Raikes

Jan. 6	Read first time	162
Jan. 10	Referred to Education Committee	205
Jan. 31	Notice of hearing (2/8)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1059. By Bourne, Connealy

Jan. 6	Read first time	162
Jan. 10	Referred to Judiciary Committee	205
Jan. 13	Notice of hearing (1/20)	280
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1060. By Bourne

Jan. 6	Read first time	162
Jan. 10	Referred to Banking, Commerce and Insurance Committee	206
Jan. 31	Notice of hearing (2/14)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1061. By Bourne, Hilgert, Preister, Suttle

Jan. 6	Read first time	162
Jan. 10	Referred to Revenue Committee	206
Jan. 31	Notice of hearing (2/25)	506
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1062. By Bourne

Jan. 6	Read first time	162
Jan. 10	Referred to Banking, Commerce and Insurance Committee	206
Jan. 13	Notice of hearing (1/24)	274
Feb. 9	Indefinitely postponed	599

LEGISLATIVE BILL 1063. By Bourne, Hilgert, Suttle

Jan. 6	Read first time	162
Jan. 10	Referred to Revenue Committee	206
Jan. 31	Notice of hearing (2/25)	506
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1064. By Smith

Jan. 6	Read first time	163
Jan. 10	Referred to Appropriations Committee	206
Jan. 24	Notice of hearing (2/7)	406
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 1065. By Suttle

Jan. 6	Read first time	163
Jan. 7	Bruning name added	176
Jan. 10	Referred to Transportation Committee	206
Jan. 26	Notice of hearing (2/15)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1066. By Revenue Committee

Jan. 6	Read first time	163
Jan. 10	Referred to Revenue Committee	206
Jan. 12	Notice of hearing (1/20)	264
Jan. 21	Placed on General File	375
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1066 amended into LB 1067 by AM3205)

LEGISLATIVE BILL 1067. By Kristensen

Jan. 7	Read first time	169
Jan. 12	Referred to Revenue Committee	247

Jan. 31	Notice of hearing (2/28)	506
Feb. 16	Kristensen priority bill	717
Mar. 2	Placed on General File - Com AM2614	878
Mar. 29	Com AM2614 p. 878 adopted. Schrock AM3016 to Com AM2614 withdrawn. Beutler AM3177 to Com AM2614 pending. Beutler motion to suspend rules to permit consideration of AM3177 withdrawn. Beutler AM3177 p. 1434 withdrawn. Advanced for Review	1431
Apr. 3	Placed on Select File - AM7250	1487
Apr. 3	Wickersham AM3205 printed separate	1498
Apr. 5	AM7250 (E & R) p. 1487 adopted. Wickersham pending AM3205 (printed separate) adopted. Advanced for Engrossment	1615
Apr. 6	Correctly Engrossed. ER9155 change	1644
Apr. 11	Dispensing of reading at large approved. Final Reading w/E 44-0-5	1714
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 1066 amended into LB 1067 by AM3205)

LEGISLATIVE BILL 1068. By Quandahl

Jan. 7	Read first time	169
Jan. 12	Referred to Banking, Commerce and Insurance Committee	247
Jan. 13	Notice of hearing (1/24)	274
Jan. 26	Placed on General File	427
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1068 amended into LB 929 by AM2477)

LEGISLATIVE BILL 1069. By Baker, Schrock

Jan. 7	Read first time	169
Jan. 12	Referred to Natural Resources Committee	247
Jan. 19	Notice of hearing (1/28)	328
Feb. 1	Placed on General File	513
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1069 amended into LB 900 by AM2541)

LEGISLATIVE BILL 1070. By Dierks

Jan. 7	Read first time	169
Jan. 12	Referred to Revenue Committee	247
Jan. 24	Notice of hearing (2/2)	411
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1071. By Dierks

Jan. 7	Read first time	169
Jan. 12	Referred to Agriculture Committee	247
Jan. 28	Notice of hearing (2/15)	493
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1072. By Hartnett, Bruning

Jan. 7	Read first time	169
Jan. 12	Referred to Revenue Committee	247
Jan. 13	Notice of hearing (1/27)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1073. By Hartnett

Jan. 7	Read first time	170
Jan. 12	Referred to Revenue Committee	247
Jan. 12	Notice of hearing (1/19)	264
Jan. 24	Indefinitely postponed	404

LEGISLATIVE BILL 1074. By Hartnett

Jan. 7	Read first time	170
Jan. 12	Referred to Revenue Committee	247
Jan. 24	Notice of hearing (2/9)	412
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1075. By Transportation Committee

Jan. 7	Read first time	170
Jan. 12	Referred to Transportation and Telecommunications Committee	247
Jan. 18	Notice of hearing (1/25)	298
Jan. 28	Placed on General File	488
Feb. 2	Bromm AM2212 printed	532
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1076. By Transportation Committee

Jan. 7	Read first time	170
Jan. 12	Referred to Transportation and Telecommunications Committee	247
Jan. 26	Notice of hearing (2/8)	444
Feb. 14	Placed on General File	659
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1077. By Transportation Committee

Jan. 7	Read first time	170

Jan. 12	Referred to Transportation and Telecommunications Committee	248
Jan. 26	Notice of hearing (2/14)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1077A. By Bromm

Feb. 23	Read first time. Placed on General File	777
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1078. By Bruning, Hilgert, Redfield

Jan. 7	Read first time	170
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 25	Rereferred to Banking, Commerce and Insurance Committee	421
Jan. 31	Notice of hearing (2/15)	504
Feb. 16	Price name added	717
Feb. 24	Placed on General File - AM2482	782
Mar. 8	Dw. Pedersen name added	957
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1079. By Schrock, Chambers, Dierks

Jan. 7	Read first time	170
Jan. 12	Referred to Agriculture Committee	248
Jan. 21	Notice of hearing (2/1)	374
Jan. 27	Dw. Pedersen name added	474
Jan. 28	Dw. Pedersen name withdrawn	494
Mar. 1	Chambers name withdrawn	865
Mar. 2	Placed on General File	889
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1080. By Coordsen

Jan. 7	Read first time	171
Jan. 12	Referred to Transportation and Telecommunications Committee	248
Jan. 21	Notice of hearing (2/1)	374
Mar. 8	Placed on General File - Com AM2668	937
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1080 amended into LB 628 by AM2918)

LEGISLATIVE BILL 1081. By Cudaback, Lynch

Jan. 7	Read first time	171
Jan. 12	Referred to Judiciary Committee	248

Jan. 19	Notice of hearing (1/27)	328
Feb. 1	Placed on General File	508
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1082. By Robak

Jan. 7	Read first time	171
Jan. 12	Referred to Revenue Committee	248
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Indefinitely postponed	505

LEGISLATIVE BILL 1083. By Bruning

Jan. 7	Read first time	171
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	248
Jan. 13	Notice of hearing (1/21)	295
Jan. 24	Aguilar name added	412
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 1084. By Kristensen

Jan. 7	Read first time	172
Jan. 12	Referred to Banking, Commerce and Insurance Committee	248
Jan. 13	Notice of hearing (1/24)	274
Jan. 26	Placed on General File	427
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1085. By Kristensen

Jan. 7	Read first time	172
Jan. 12	Referred to Judiciary Committee	248
Jan. 13	Notice of hearing (1/21)	281
Jan. 25	Placed on General File - Com AM2034	419
Mar. 2	Com AM2034 p. 419 adopted. Advanced for Review	884
Mar. 7	Placed on Select File - AM7221	918
Mar. 16	AM7221 (E & R) p. 918 adopted. Advanced for Engrossment	1135
Mar. 21	Correctly Engrossed	1185
Mar. 24	Final Reading w/E 46-0-3	1281
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1086. By General Affairs Committee

Jan. 7	Read first time	172
Jan. 12	Referred to General Affairs Committee	248
Jan. 18	Notice of hearing (1/31)	305
Feb. 2	Placed on General File	521
Feb. 16	General Affairs Committee priority bill	714
Mar. 30	Janssen AM2379 adopted. Advanced for Review	1459
Apr. 3	Placed on Select File - AM7262	1491
Apr. 6	AM7262 (E & R) p. 1491 adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 6	ER9158 change	1645
Apr. 11	Dispensing of reading at large approved. Final Reading 44-0-5	1715
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1087. By Smith

Jan. 7	Read first time	173
Jan. 12	Referred to General Affairs Committee	248
Jan. 26	Brown, Dw. Pedersen, Hartnett, and Tyson names added	459
Jan. 27	Notice of hearing (2/14)	468
Feb. 28	Indefinitely postponed	832

LEGISLATIVE BILL 1088. By Suttle

Jan. 7	Read first time	173
Jan. 12	Referred to Revenue Committee	248
Jan. 13	Notice of hearing (1/27)	280
Feb. 11	Indefinitely postponed	642

(Provisions/portions of LB 1088 amended into LB 925 by AM3330)

LEGISLATIVE BILL 1089. By Suttle

Jan. 7	Read first time	173
Jan. 12	Referred to Transportation and Telecommunications Committee	248
Jan. 21	Notice of hearing (1/31)	373
Feb. 2	Placed on General File	532
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1089 amended into LB 1004 by AM2652)

LEGISLATIVE BILL 1090. By Suttle

Jan. 7	Read first time	173

Jan. 12	Referred to Transportation and Telecommunications Committee	248
Jan. 13	Notice of hearing (1/24)	288
Feb. 2	Indefinitely postponed	532

LEGISLATIVE BILL 1091. By Suttle

Jan. 7	Read first time	173
Jan. 12	Referred to Judiciary Committee	248
Feb. 2	Notice of hearing (2/11)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1092. By Robak, Dierks, Janssen, Jones, Schmitt, Tyson

Jan. 7	Read first time	173
Jan. 12	Referred to Agriculture Committee	248
Jan. 21	Notice of hearing (2/1)	374
Feb. 10	Robak priority bill	615
Feb. 28	Placed on General File - Com AM2552	820
Mar. 7	Com AM2552 p. 820 adopted as amended by Robak AM2633. Advanced for Review	935
Mar. 13	Placed on Select File - AM7225	1037
Mar. 15	Wehrbein AM2802 to AM7225 printed	1082
Mar. 22	AM7225 (E & R) p. 1037 adopted. Wehrbein pending AM2802 p. 1082 adopted. Advanced for Engrossment	1207
Mar. 23	Correctly Engrossed	1256
Mar. 23	ER9140 change	1257
Apr. 4	Final Reading 43-0-6	1574
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1664
Apr. 11	Robak motion to override veto failed 25-10-14	1737
Apr. 11	Communication	1742

LEGISLATIVE BILL 1092A. By Robak

Mar. 15	Read first time. Placed on General File	1086
Mar. 21	Advanced for Review	1156
Mar. 21	Placed on Select File	1167
Mar. 22	Advanced for Engrossment	1207
Mar. 23	Correctly Engrossed	1256
Apr. 4	Final Reading 44-0-5	1575
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1664

Apr. 11	Robak motion to override veto withdrawn	1738
Apr. 11	Communication	1742

LEGISLATIVE BILL 1093. By Stuhr, Baker, Janssen, Kremer

Jan. 7	Read first time	173
Jan. 12	Referred to Judiciary Committee	248
Jan. 13	Notice of hearing (1/20)	280
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1094. By Jensen, Dickey, Schrock

Jan. 7	Read first time	174
Jan. 12	Referred to General Affairs Committee	248
Jan. 18	Notice of hearing (1/31)	306
Feb. 17	Placed on General File - Com AM2370	744
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1094 amended into LB 973 by AM2770)

LEGISLATIVE BILL 1095. By Jensen, Byars, Dickey

Jan. 7	Read first time	174
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 25	Notice of hearing (2/9)	421
Jan. 31	Tyson name added	506
Feb. 22	Placed on General File	756
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1096. By Redfield, Byars, Coordsen, Cudaback, Dickey, Dierks, Quandahl, Tyson

Jan. 7	Read first time	174
Jan. 12	Referred to Judiciary Committee	248
Jan. 13	Notice of hearing (1/20)	280
Jan. 19	Thompson name added	341
Feb. 7	Redfield priority bill	557
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1097. By Landis

Jan. 7	Read first time	174
Jan. 10	Bromm name added	226
Jan. 12	Referred to Transportation and Telecommunications Committee	248
Jan. 21	Notice of hearing (2/1)	374
Feb. 14	Placed on General File - Com AM2360	659
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1098. By Landis

Jan. 7	Read first time	174
Jan. 10	Beutler name added	203
Jan. 12	Referred to Urban Affairs Committee	248
Feb. 1	Notice of hearing (2/15)	516
Feb. 25	Placed on General File - Com AM2459	811
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1098 amended into LB 968 by AM3014)

LEGISLATIVE BILL 1099. By Landis

Jan. 7	Read first time	175
Jan. 12	Referred to Revenue Committee	248
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Indefinitely postponed	505

LEGISLATIVE BILL 1100. By Coordsen

Jan. 7	Read first time	176
Jan. 10	Stuhr name added	203
Jan. 12	Referred to Revenue Committee	248
Jan. 24	Notice of hearing (2/3)	411
Mar. 14	Indefinitely postponed	1066

(Provisions/portions of LB 1100 amended into LB 968 by AM2896)

LEGISLATIVE BILL 1101. By Aguilar, Baker, Bromm, Bruning, Coordsen, Dickey, Jensen, Jones, Dw. Pedersen, Price, Robak, Schmitt, Smith, Tyson, Vrtiska

Jan. 10	Read first time	187
Jan. 10	Landis name added	226
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 26	Dickey priority bill	428
Jan. 31	Notice of hearing (2/17)	502
Feb. 28	Placed on General File - Com AM2473	839
Mar. 7	Com AM2473 p. 839 adopted. Chambers FA307 and FA308 adopted. Chambers FA309 withdrawn. Chambers motion to indefinitely postpone pending. Laid over	898
Mar. 27	Chambers AM3114 printed	1388
Apr. 5	Chambers motion p. 899 to indefinitely postpone withdrawn. Chambers pending AM3114 p. 1388 adopted. Advanced for Review	1602
Apr. 6	Placed on Select File - AM7271	1638
Apr. 10	AM7271 (E & R) p. 1638 adopted. Advanced for Engrossment	1675
Apr. 10	Correctly Engrossed	1690

Apr. 12	Final Reading 48-0-1	1758
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1101A. By Aguilar

Mar. 1	Read first time. Placed on General File	876
Apr. 5	Advanced for Review	1602
Apr. 6	Placed on Select File	1638
Apr. 10	Advanced for Engrossment	1675
Apr. 10	Correctly Engrossed	1690
Apr. 12	Final Reading 48-0-1	1759
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1102. By Aguilar, Dickey, Redfield, Schmitt

Jan. 10	Read first time	187
Jan. 12	Referred to Judiciary Committee	248
Jan. 31	Dw. Pedersen name added	506
Feb. 8	Notice of hearing (2/16)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1103. By Dierks

Jan. 10	Read first time	188
Jan. 12	Referred to Urban Affairs Committee	248
Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File	462
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1104. By Lynch

Jan. 10	Read first time	188
Jan. 12	Referred to Nebraska Retirement Systems Committee	248
Feb. 15	Notice of hearing (2/22)	685
Feb. 25	Placed on General File - Com AM2288	804
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1105. By Wickersham, Coordsen

Jan. 10	Read first time	188
Jan. 12	Referred to Revenue Committee	248
Jan. 24	Notice of hearing (2/3)	411
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1106. By Wickersham, Bohlke, Dierks, Raikes, Schmitt, Vrtiska

Jan. 10	Read first time	188
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	248
Jan. 13	Notice of hearing (1/20)	283
Feb. 1	Indefinitely postponed	512

LEGISLATIVE BILL 1107. By Wickersham, Bohlke, Coordsen, Dierks, Engel, Matzke, D. Pederson, Raikes, Schrock, Stuhr, Vrtiska, Wehrbein

Jan. 10	Read first time	188
Jan. 12	Referred to Education Committee	248
Jan. 31	Notice of hearing (2/8)	502
Feb. 9	Wickersham priority bill	605
Feb. 10	Placed on General File	632
Feb. 17	Wickersham AM2463 printed	747
Feb. 28	Wickersham pending AM2463 p. 747 pending	833
Feb. 28	Preister name added	841
Feb. 29	Wickersham pending AM2463 p. 747 adopted. Advanced for Review	848
Mar. 2	Placed on Select File - AM7214	888
Mar. 8	Wickersham AM2717 printed	957
Mar. 9	Beutler AM2726 printed	999
Mar. 10	AM7214 (E & R) p. 888 adopted. Wickersham pending AM2717 p. 957 adopted. Beutler AM2726 p. 999 withdrawn. Raikes AM2766 pending	1017
Mar. 13	Raikes pending AM2766 p. 1017 pending. Wickersham FA318 to AM2766 lost	1026
Mar. 13	Raikes pending AM2766 p. 1017 adopted. Beutler AM2797 lost. Advanced for Engrossment	1027
Mar. 14	Correctly Engrossed. ER9130 change	1070
Apr. 4	Final Reading 35-10-4	1575
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Returned by Governor without approval (4/10)	1669
Apr. 11	Wickersham motion to override veto failed 23-23-3	1728
Apr. 11	Communication	1738

LEGISLATIVE BILL 1107A. By Wickersham

Mar. 2	Read first time. Placed on General File	878
Mar. 8	Advanced for Review	938
Mar. 9	Placed on Select File	994

Mar. 13	Advanced for Engrossment	1030
Mar. 14	Correctly Engrossed	1070
Apr. 4	Passed over	1576
Apr. 4	Wickersham AM3286 printed	1587
Apr. 10	Wickersham AM3286 p. 1587 withdrawn. Returned to Select File for Wickersham-Hartnett specific AM3367. Wickersham motion to suspend rules to permit consideration of AM3367 prevailed. Wickersham-Hartnett specific AM3367 p. 1696 adopted. Advanced for Reengrossment	1696
Apr. 10	Correctly Reengrossed	1698
Apr. 10	ER9167 change	1699
Apr. 12	Final Reading 47-0-2	1760
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1345 amended into LB 1107A by AM3367)

LEGISLATIVE BILL 1108. By Kiel

Jan. 10	Read first time	188
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 24	Notice of hearing (2/2)	405
Feb. 14	Placed on General File	661
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1109. By Coordsen, Dierks

Jan. 10	Read first time	189
Jan. 12	Referred to Revenue Committee	248
Jan. 21	Notice of hearing (1/28)	373
Jan. 31	Indefinitely postponed	505

LEGISLATIVE BILL 1110. By Landis

Jan. 10	Read first time	189
Jan. 12	Referred to Judiciary Committee	248
Jan. 19	Notice of hearing (1/28)	328
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1111. By Landis

Jan. 10	Read first time	191
Jan. 12	Referred to Banking, Commerce and Insurance Committee	248
Jan. 18	Notice of hearing (1/25)	302
Jan. 27	Placed on General File	461

Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1111 amended into LB 929 by AM2477)

LEGISLATIVE BILL 1112. By Schrock, Bromm, Bruning, Hudkins, Jones, Kremer, Preister, Stuhr

Jan. 10	Read first time	191
Jan. 12	Referred to Natural Resources Committee	248
Jan. 12	Notice of hearing (1/20)	272
Feb. 2	Placed on General File - Com AM2237	524
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1113. By Lynch, Robak

Jan. 10	Read first time	191
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 18	Notice of hearing (1/26)	306
Jan. 20	Jensen motion to suspend rules and cancel hearing prevailed	363
Jan. 20	Notice of hearing (1/26) (cancel)	364
Jan. 21	Rereferred to Appropriations Committee	369
Jan. 24	Notice of hearing (2/7)	406
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1113 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1114. By Cudaback

Jan. 10	Read first time	191
Jan. 12	Referred to Revenue Committee	248
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1115. By Health and Human Services Committee

Jan. 10	Read first time	191
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 18	Notice of hearing (1/27)	306
Jan. 19	Correction	317
Feb. 22	Health and Human Services Committee priority bill	751
Mar. 13	Placed on General File - Com AM2715 (printed separate)	1030
Mar. 15	Suttle-Jensen-Dierks-Byars-Thompson AM2525 printed separate	1084
Mar. 15	Suttle AM2875 printed	1093
Mar. 15	Lynch AM2723 printed	1099
Mar. 16	Redfield AM2904 printed	1137
Mar. 16	Brashear AM2916 printed	1139

Mar. 21	Dierks AM2943 printed	1173
Mar. 21	Dierks-Jensen AM2953 printed	1175
Mar. 22	Hilgert AM2987 printed	1228
Mar. 23	Jensen AM2933 printed	1235
Mar. 23	Com AM2715 (printed separate) adopted as amended by Jensen AM3024 and Thompson AM3025. Lynch AM2723 p. 1099 withdrawn. Advanced for Review	1237
Mar. 23	Byars AM3027 to Com AM2715 printed	1240
Mar. 23	Kiel AM3043 printed	1254
Mar. 27	Bromm-Thompson AM3049 and Thompson AM3076 to AM7246 printed	1341
Mar. 27	Placed on Select File - AM7246 (printed separate)	1348
Mar. 27	Hartnett AM3054 to AM7246 printed	1383
Apr. 5	Engel AM3059 to AM7246 printed	1597
Apr. 6	AM7246 (E & R) (printed separate) adopted. Redfield AM2904 p. 1137, Jensen AM2933 p. 1235, Byars AM3027 p. 1240, Brashear AM2916 p. 1139, Dierks AM2943 p. 1173, Dierks-Jensen AM2953 p. 1175, and Kiel AM3043 p. 1254 withdrawn. Bromm unanimous consent to replace Bromm-Thompson AM3049 p. 1341 with substitute amendment. No objections. Bromm-Thompson AM3049 p. 1341 withdrawn. Bromm-Thompson substitute AM3339 to AM7246 adopted. Thompson AM3076 p. 1341, Hartnett AM3054 p. 1383, Engel AM3059 p. 1597, Suttle AM2875 p. 1093, Hilgert AM2987 p. 1228, and Suttle et al. pending AM2525 (printed separate) withdrawn. Advanced for Engrossment	1646
Apr. 10	Correctly Engrossed	1655
Apr. 10	ER9162 change	1656
Apr. 12	Dispensing of reading at large approved. Final Reading w/E 46-1-2	1761
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 898 amended into LB 1115 by Com AM2715)
(Provisions/portions of LB 1033 amended into LB 1115 by AM3025)
(Provisions/portions of LB 1140 amended into LB 1115 by Com AM2715)
(Provisions/portions of LB 1194 amended into LB 1115 by Com AM2715)
(Provisions/portions of LB 1212 amended into LB 1115 by Com AM2715)

LEGISLATIVE BILL 1116. By Schimek, Beutler, Landis, Price, Raikes

Jan. 10	Read first time	192
Jan. 12	Referred to Urban Affairs Committee	248

Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File - Com AM2135	462
Feb. 22	Speaker priority bill	760
Feb. 28	Quandahl AM2563 printed	837
Apr. 5	Com AM2135 p. 462 adopted. Quandahl pending AM2563 p. 837 adopted. Advanced for Review	1601
Apr. 6	Placed on Select File - AM7273 (printed separate)	1637
Apr. 10	AM7273 (E & R) (printed separate) adopted. Advanced for Engrossment	1683
Apr. 10	Correctly Engrossed	1690
Apr. 12	Dispensing of reading at large approved. Final Reading 48-0-1	1762
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1117. By Chambers

Jan. 10	Read first time	192
Jan. 12	Referred to Revenue Committee	248
Jan. 13	Notice of hearing (1/26)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1118. By Chambers

Jan. 10	Read first time	192
Jan. 12	Referred to Judiciary Committee	248
Jan. 19	Correction	317
Feb. 9	Notice of hearing (2/23)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1119. By Landis

Jan. 10	Read first time	193
Jan. 12	Referred to Banking, Commerce and Insurance Committee	248
Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File - Com AM2113	461
Feb. 10	Banking, Commerce and Insurance Committee priority bill	634
Mar. 1	Landis AM2467 printed	867
Mar. 22	Com AM2113 p. 461 adopted. Landis pending AM2467 p. 867 adopted. Beutler AM2995 adopted. Advanced for Review	1201
Mar. 24	Placed on Select File - AM7245 (printed separate)	1292
Mar. 29	AM7245 (E & R) (printed separate) adopted. Advanced for Engrossment	1430

Apr. 3	Correctly Engrossed. ER9152 change	1477
Apr. 6	Dispensing of reading at large approved. Final Reading 48-0-1	1629
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 930 amended into LB 1119 by AM2467)

LEGISLATIVE BILL 1120. By Bourne

Jan. 10	Read first time	193
Jan. 12	Referred to Health and Human Services Committee	248
Jan. 24	Notice of hearing (2/2)	405
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1121. By Bourne

Jan. 10	Read first time	193
Jan. 12	Referred to Banking, Commerce and Insurance Committee	248
Jan. 21	Notice of hearing (2/1)	376
Feb. 3	Placed on General File	535
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1121 amended into LB 1253 by AM2692)

LEGISLATIVE BILL 1122. By Bourne

Jan. 10	Read first time	193
Jan. 12	Referred to Judiciary Committee	248
Jan. 26	Notice of hearing (2/3)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1123. By Business and Labor Committee

Jan. 10	Read first time	193
Jan. 12	Referred to Business and Labor Committee	248
Jan. 13	Notice of hearing (1/24)	281
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1124. By Coordsen, Baker, Bromm, Byars, Connealy, Cudaback, Dierks, Engel, Hudkins, Janssen, Jones, Kremer, Matzke, Raikes, Robak, Schmitt, Schrock, Smith, Stuhr, Vrtiska, Wehrbein

Jan. 10	Read first time	194
Jan. 12	Referred to Revenue Committee	248
Jan. 19	Coordsen priority bill	319
Jan. 24	Notice of hearing (2/2)	411

Mar. 14	Placed on General File - Com AM2845	1071
Mar. 21	Com AM2845 p. 1071 adopted. Advanced for Review	1156
Mar. 21	Placed on Select File - AM7243	1184
Mar. 24	Coordsen AM3052 to AM2845 printed	1307
Mar. 27	AM7243 (E & R) p. 1184 adopted. Coordsen pending AM3052 p. 1307 adopted. Advanced for Engrossment	1338
Mar. 28	Correctly Engrossed	1408
Mar. 28	ER9147 change	1409
Apr. 4	Final Reading w/E 45-0-4	1584
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 1124A. By Coordsen

Mar. 21	Read first time. Placed on General File	1172
Mar. 23	Advanced for Review	1231
Mar. 23	Placed on Select File	1254
Mar. 27	Advanced for Engrossment	1338
Mar. 28	Correctly Engrossed	1408
Apr. 4	Final Reading w/E 45-0-4	1585
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 1125. By Banking, Commerce and Insurance Committee

Jan. 10	Read first time	194
Jan. 12	Referred to Banking, Commerce and Insurance Committee	248
Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File	461
Jan. 31	Bourne priority bill	505
Feb. 11	Advanced for Review	642
Feb. 15	Placed on Select File - AM7198	703
Mar. 7	AM7198 (E & R) p. 703 adopted. Advanced for Engrossment	920
Mar. 9	Correctly Engrossed	970
Mar. 16	Final Reading 45-0-4	1108
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 1126. By Janssen, Hartnett, Lynch, Quandahl, Schimek, Vrtiska

Jan. 10	Read first time	194
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 12	Notice of hearing (1/19)	267
Jan. 20	Placed on General File	360
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1127. By Landis, Preister

Jan. 10	Read first time	194
Jan. 12	Referred to Banking, Commerce and Insurance Committee	249
Jan. 18	Notice of hearing (1/25)	303
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1128. By Kristensen

Jan. 10	Read first time	194
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 13	Notice of hearing (1/21)	295
Jan. 31	Placed on General File - Com AM2067	499
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1129. By Robak

Jan. 10	Read first time	195
Jan. 12	Referred to Transportation and Telecommunications Committee	249
Jan. 18	Notice of hearing (1/25)	298
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1130. By Tyson, Smith, Wehrbein

Jan. 10	Read first time	195
Jan. 12	Referred to General Affairs Committee	249
Jan. 27	Notice of hearing (2/7)	467
Mar. 2	Placed on General File - Com AM2615	882
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1131. By Tyson

Jan. 10	Read first time	195
Jan. 12	Referred to Urban Affairs Committee	249
Jan. 18	Notice of hearing (1/25)	303
Mar. 9	Placed on General File - Com AM2594	959
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1132. By Tyson

Jan. 10	Read first time	195
Jan. 12	Referred to Revenue Committee	249
Jan. 25	Notice of hearing (2/11)	421
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1133. By Tyson, Baker, Bruning, Dierks, Hudkins, Jensen, Jones, Dw. Pedersen, Quandahl, Redfield, Schmitt, Schrock, Smith

Jan. 10	Read first time	195
Jan. 12	Referred to Judiciary Committee	249
Feb. 2	Notice of hearing (2/9)	523
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 1134. By Tyson, Crosby, Smith, Wehrbein

Jan. 10	Read first time	196
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 20	Notice of hearing (1/27)	364
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1135. By Government, Military and Veterans Affairs Committee, Kremer

Jan. 10	Read first time	196
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 19	Correction	317
Jan. 26	Notice of hearing (2/2)	458
Feb. 3	Government, Military and Veterans Affairs Committee priority bill	547
Feb. 7	Placed on General File - Com AM2284 (printed separate)	572
Feb. 14	Schimek AM2395 to Com AM2284 printed	673
Feb. 22	Com AM2284 (printed separate) adopted as amended by Schimek pending AM2395 p. 673. Advanced for Review	760
Feb. 24	Placed on Select File - AM7206 (printed separate)	782
Feb. 28	Preister name added	841
Mar. 7	Brown AM2585 printed	900
Mar. 7	Landis AM2619 to AM7206 printed	905
Mar. 8	Wickersham AM2694 to AM2619 printed	944
Mar. 10	AM7206 (E & R) (printed separate) adopted. Brown pending AM2585 p. 900 adopted. Landis AM2619 p. 905 and Wickersham AM2694 p. 944 withdrawn. Advanced for Engrossment	1014

Mar. 14	Correctly Engrossed. ER9129 change	1068
Mar. 16	Returned to Select File for Brown specific AM2907. Brown specific AM2907 adopted. Advanced for Reengrossment	1119
Mar. 21	Correctly Reengrossed	1155
Mar. 21	ER9131 change	1156
Mar. 24	Dispensing of reading at large approved	1281
Mar. 24	Final Reading 47-0-2	1282
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

(Provisions/portions of LB 1231 amended into LB 1135 by AM2585)

LEGISLATIVE BILL 1136. By Bromm, Baker, Crosby, Dierks, Hartnett, Kremer, Lynch, Dw. Pedersen, Preister, Redfield, Tyson

Jan. 10	Read first time	197
Jan. 12	Referred to Revenue Committee	249
Jan. 25	Notice of hearing (2/17)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1137. By Bromm, Bohlke, Dierks, Engel, Hudkins, Janssen, Jones, Kremer, Preister, Stuhr

Jan. 10	Read first time	197
Jan. 12	Referred to Revenue Committee	249
Jan. 25	Notice of hearing (2/16)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1138. By Revenue Committee

Jan. 10	Read first time	197
Jan. 12	Referred to Revenue Committee	249
Jan. 13	Notice of hearing (1/21)	280
Feb. 14	Revenue Committee priority bill	658
Feb. 17	Placed on General File - Com AM2464	747
Feb. 23	Wickersham AM2506 printed	770
Mar. 30	Com AM2464 p. 747 pending. Wickersham-Landis-Coordsen-Hartnett-Raikes AM3187 to Com AM2464 pending	1463
Apr. 3	Wickersham-Coordsen-Raikes-Hartnett-Redfield-Bohlke AM3212 to Com AM2464 printed	1508

Apr. 5	Com AM2464 p. 747 pending. Wickersham et al. AM3187 p. 1463 withdrawn. Wickersham et al. pending AM3212 p. 1508 pending. Passed over	1592
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1138A. By Wickersham

Apr. 3	Read first time. Placed on General File	1512
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1139. By Suttle

Jan. 10	Read first time	197
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 31	Notice of hearing (2/10)	501
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1140. By Suttle

Jan. 10	Read first time	197
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 24	Notice of hearing (2/3)	405
Feb. 16	Placed on General File - Com AM2302	714
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1140 amended into LB 1115 by Com AM2715)

LEGISLATIVE BILL 1141. By Suttle

Jan. 10	Read first time	198
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 24	Notice of hearing (2/2)	405
Feb. 15	Placed on General File - Com AM2281	702
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1142. By Robak, Kiel, Suttle

Jan. 10	Read first time	198
Jan. 12	Referred to Judiciary Committee	249
Feb. 2	Notice of hearing (2/11)	523
Feb. 3	Notice of hearing (2/11) (cancel)	555
Feb. 8	Notice of hearing (2/16) (reschedule)	580
Feb. 9	Correction	599
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1143. By Schmitt, Beutler, Bruning, Cudaback, Janssen, Jones, Quandahl, Raikes, Schimek, Smith, Stuhr, Tyson

Jan. 10	Read first time	198
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249

Jan. 13	Notice of hearing (1/21)	295
Jan. 31	Placed on General File	496
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1144. By Byars

Jan. 10	Read first time	198
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 24	Notice of hearing (2/2)	405
Feb. 15	Placed on General File	696
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1145. By Landis

Jan. 10	Read first time	198
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Feb. 1	Notice of hearing (2/9)	513
Feb. 22	Speaker priority bill	760
Feb. 23	Placed on General File	774
Mar. 2	Smith motion to indefinitely postpone printed. Smith FA304, FA305, and FA306 printed	887
Mar. 8	Landis AM2698 printed	953
Mar. 23	Kristensen AM2988 printed separate	1235
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1145 amended into LB 968 by AM3014)

LEGISLATIVE BILL 1146. By Baker, Connealy, Coordsen, Jones, Kremer

Jan. 10	Read first time	198
Jan. 12	Referred to Transportation and Telecommunications Committee	249
Jan. 18	Notice of hearing (1/25)	298
Feb. 14	Placed on General File - Com AM2242	677
Mar. 2	Com AM2242 p. 677 adopted. Chambers motion to indefinitely postpone pending. Laid over	884
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1146 amended into LB 1361 by AM3328)

LEGISLATIVE BILL 1147. By Dw. Pedersen, Beutler, Preister

Jan. 10	Read first time	199
Jan. 12	Referred to Transportation and Telecommunications Committee	249
Jan. 26	Notice of hearing (2/22)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1148. By Quandahl

Jan. 10	Read first time	199
Jan. 12	Referred to Banking, Commerce and Insurance Committee	249
Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File - Com AM2089	462
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1148 amended into LB 932 by AM2867)

LEGISLATIVE BILL 1149. By Brashear, Beutler, Bohlke, Bourne, Brown, Bruning, Crosby, Engel, Hartnett, Hilgert, Hudkins, Janssen, Jensen, Kiel, Kristensen, Lynch, Dw. Pedersen, D. Pederson, Quandahl, Redfield, Thompson, Vrtiska, Wehrbein

Jan. 10	Read first time	199
Jan. 12	Referred to Revenue Committee	249
Jan. 25	Notice of hearing (2/16)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1150. By Janssen, Baker, Schrock

Jan. 10	Read first time	199
Jan. 12	Referred to General Affairs Committee	249
Jan. 18	Notice of hearing (1/31)	306
Feb. 2	Placed on General File - Com AM2243	522
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1151. By Bromm, Dickey, Hudkins, Janssen, Kremer

Jan. 10	Read first time	199
Jan. 12	Referred to Appropriations Committee	249
Jan. 25	Notice of hearing (2/3)	417
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 1152. By Beutler, Preister

Jan. 10	Read first time	206
Jan. 12	Referred to Natural Resources Committee	249
Jan. 19	Notice of hearing (1/27)	327
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1153. By Beutler

Jan. 10	Read first time	206
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 25	Notice of hearing (2/9)	421
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1153 amended into LB 1427 by AM2954)

LEGISLATIVE BILL 1154. By Beutler

Jan. 10	Read first time	207
Jan. 12	Referred to Transportation and Telecommunications Committee	249
Jan. 26	Notice of hearing (2/14)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1155. By Wehrbein, Cudaback

Jan. 10	Read first time	208
Jan. 12	Referred to Revenue Committee	249
Jan. 13	Notice of hearing (1/27)	280
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1156. By Wehrbein

Jan. 10	Read first time	208
Jan. 12	Referred to Banking, Commerce and Insurance Committee	249
Jan. 31	Notice of hearing (2/8)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1157. By Wehrbein

Jan. 10	Read first time	208
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 13	Notice of hearing (1/20)	283
Jan. 24	Placed on General File - Com AM2092	397
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1158. By Wehrbein

Jan. 10	Read first time	208
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 20	Notice of hearing (1/27)	364
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 1159. By Hartnett

Jan. 10	Read first time	208
Jan. 12	Referred to Urban Affairs Committee	249
Jan. 18	Notice of hearing (1/25)	303
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1160. By Bruning, Quandahl, at the request of the Governor

Jan. 10	Read first time	208
Jan. 12	Referred to Education Committee	249
Jan. 18	Notice of hearing (1/25)	303
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1161. By Bohlke, Dierks, Schrock

Jan. 10	Read first time	209
Jan. 12	Referred to Education Committee	249
Jan. 18	Notice of hearing (1/25)	303
Feb. 7	Placed on General File - Com AM2294	565
Feb. 22	Speaker priority bill	760
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1161A. By Bohlke

Feb. 16	Read first time. Placed on General File	713
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1162. By Quandahl, Bruning, at the request of the Governor

Jan. 10	Read first time	209
Jan. 12	Referred to Education Committee	249
Jan. 18	Notice of hearing (1/25)	303
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1163. By Thompson, Beutler, Bohlke, Bourne, Brashear, Byars, Connealy, Coordsen, Hartnett, Jensen, Kiel, Lynch, Matzke, Dw. Pedersen, Preister, Price, Raikes, Schimek, Schmitt

Jan. 10	Read first time	209
Jan. 11	Suttle name added	245
Jan. 12	Referred to Appropriations Committee	249
Jan. 24	Notice of hearing (2/7)	406
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1163 amended into LB 1217 by AM2852)

LEGISLATIVE BILL 1164. By Thompson, Dw. Pedersen, Price

Jan. 10	Read first time	209
Jan. 11	Suttle name added	245
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 31	Notice of hearing (2/11)	502
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1164 amended into LB 1167 by Com AM2678)

LEGISLATIVE BILL 1165. By Thompson, Jensen, Price, Robak, Suttle

Jan. 10	Read first time	209
Jan. 11	Suttle name added	245
Jan. 19	Referred to Judiciary Committee	318
Feb. 2	Notice of hearing (2/10)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1166. By Thompson, Jensen, Price, Suttle

Jan. 10	Read first time	209
Jan. 19	Referred to Judiciary Committee	318
Feb. 2	Notice of hearing (2/10)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1167. By Thompson, Jensen, Dw. Pedersen, Price

Jan. 10	Read first time	210
Jan. 11	Suttle name added	245
Jan. 12	Referred to Health and Human Services Committee	249
Jan. 31	Notice of hearing (2/11)	502
Feb. 17	Thompson priority bill	719
Mar. 9	Placed on General File - Com AM2678 (printed separate)	985
Mar. 15	Tyson name added	1101
Mar. 27	Thompson AM3078 and Suttle AM2915 to Com AM2678 printed	1333
Mar. 27	Thompson AM3079 to Com AM2678 printed	1338
Mar. 29	Com AM2678 (printed separate) adopted as amended by Suttle pending AM2915 p. 1333, Thompson AM3079 p. 1338, and Kristensen-Wickersham-D. Pederson-Matzke FA360. Thompson AM3078 p. 1333 withdrawn. Advanced for Review	1436
Apr. 3	Placed on Select File - AM7264 (printed separate)	1487
Apr. 3	Wickersham AM3249 printed	1516
Apr. 5	AM7264 (E & R) (printed separate) adopted. Wickersham pending AM3249 p. 1516 adopted. Advanced for Engrossment	1615
Apr. 6	Correctly Engrossed	1644
Apr. 11	Dispensing of reading at large approved. Final Reading w/E 42-0-7	1716
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 223 amended into LB 1167 by AM2915)
(Provisions/portions of LB 1164 amended into LB 1167 by Com AM2678)
(Provisions/portions of LB 1392 amended into LB 1167 by Com AM2678)

LEGISLATIVE BILL 1167A. By Thompson

Mar. 21	Read first time. Placed on General File	1163
Mar. 29	Advanced for Review	1437
Apr. 3	Placed on Select File	1487
Apr. 5	Advanced for Engrossment	1615
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading w/E 41-0-8	1717
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1168. By Kiel, Baker, Bourne, Connealy, Dierks, Janssen, Lynch, Matzke, D. Pederson, Quandahl, Redfield, Robak, Schimek, Stuhr

Jan. 10	Read first time	210
Jan. 12	Referred to Revenue Committee	249
Jan. 25	Notice of hearing (2/17)	421
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1169. By Bohlke, Coordsen, Stuhr, Vrtiska

Jan. 10	Read first time	210
Jan. 12	Referred to Education Committee	249
Jan. 31	Notice of hearing (2/8)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1170. By Smith, Quandahl

Jan. 10	Read first time	225
Jan. 12	Referred to Government, Military and Veterans Affairs Committee	249
Jan. 13	Notice of hearing (1/20)	283
Feb. 7	Placed on General File - Com AM2112 (printed separate)	572
Mar. 2	Com AM2112 (printed separate) pending	885
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1171. By Dickey, Aguilar, Cudaback, Dierks, Jensen, Jones, Kremer, Dw. Pedersen, Price, Redfield, Schrock, Smith

Jan. 10	Read first time	225
Jan. 12	Referred to General Affairs Committee	249
Jan. 27	Notice of hearing (2/7)	467
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1172. By Lynch

Jan. 10	Read first time	226
Jan. 12	Referred to Appropriations Committee	249
Jan. 24	Notice of hearing (2/8)	406
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1172 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1173. By Brown, Bruning, Hartnett, Jensen

Jan. 10	Read first time	226
Jan. 12	Referred to Revenue Committee	249
Jan. 31	Notice of hearing (2/23)	505
Feb. 28	Indefinitely postponed	819

LEGISLATIVE BILL 1174. By Smith, Brown, Bruning, Jensen, Dw. Pedersen, Quandahl

Jan. 11	Read first time	228
Jan. 13	Referred to General Affairs Committee	273
Jan. 26	Redfield and Tyson names added	459
Jan. 27	Notice of hearing (2/7)	467
Jan. 31	Kremer name added	506
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1175. By Crosby

Jan. 11	Read first time	228
Jan. 13	Referred to Appropriations Committee	273
Jan. 24	Notice of hearing (1/31)	405
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1175 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1176. By Crosby

Jan. 11	Read first time	228
Jan. 13	Referred to Banking, Commerce and Insurance Committee	273
Jan. 31	Notice of hearing (2/8)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1177. By Coordsen

Jan. 11	Read first time	228
Jan. 13	Referred to Banking, Commerce and Insurance Committee	273
Jan. 31	Notice of hearing (2/14)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1178. By Landis

Jan. 11	Read first time	228
Jan. 13	Referred to Nebraska Retirement Systems Committee	273
Jan. 19	Rereferred to Banking, Commerce and Insurance Committee	318
Jan. 21	Notice of hearing (1/31)	376
Feb. 2	Placed on General File	524
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1178 amended into LB 932 by AM3130)

LEGISLATIVE BILL 1179. By Bruning

Jan. 11	Read first time	230
Jan. 13	Referred to Government, Military and Veterans Affairs Committee	273
Feb. 1	Notice of hearing (2/11)	513
Feb. 23	Placed on General File	774
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1180. By Wehrbein, Smith

Jan. 11	Read first time	230
Jan. 13	Referred to Revenue Committee	273
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1181. By Vrtiska

Jan. 11	Read first time	230
Jan. 13	Referred to Banking, Commerce and Insurance Committee	273
Jan. 21	Notice of hearing (2/1)	376
Feb. 10	Indefinitely postponed	615

LEGISLATIVE BILL 1182. By Quandahl

Jan. 11	Read first time	230
Jan. 13	Referred to Urban Affairs Committee	273
Jan. 18	Notice of hearing (1/25)	303
Mar. 9	Indefinitely postponed	964

LEGISLATIVE BILL 1183. By Smith

Jan. 11	Read first time	233
Jan. 13	Referred to Urban Affairs Committee	273
Feb. 1	Notice of hearing (2/8)	516
Mar. 9	Placed on General File - Com AM2600	962
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1184. By Price

Jan. 11	Read first time	233
Jan. 13	Referred to Natural Resources Committee	273
Jan. 19	Notice of hearing (1/26)	327
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 1185. By Lynch

Jan. 11	Read first time	233
Jan. 13	Referred to Appropriations Committee	274
Jan. 24	Notice of hearing (2/9)	406
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1185 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1186. By Lynch

Jan. 11	Read first time	234
Jan. 13	Referred to Transportation and Telecommunications Committee	274
Jan. 19	Correction	317
Jan. 21	Notice of hearing (1/31)	374
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1187. By Jensen, Byars, Dickey, Thompson

Jan. 11	Read first time	234
Jan. 13	Referred to Revenue Committee	274
Jan. 31	Notice of hearing (2/28)	506
Mar. 7	Indefinitely postponed	895

LEGISLATIVE BILL 1188. By Revenue Committee

Jan. 11	Read first time	234
Jan. 13	Referred to Revenue Committee	274
Jan. 13	Notice of hearing (1/21)	280
Feb. 11	Indefinitely postponed	642

(Provisions/portions of LB 1188 amended into LB 968 by Com AM2432)

LEGISLATIVE BILL 1189. By Hilgert

Jan. 11	Read first time	234
Jan. 13	Referred to Health and Human Services Committee	274
Jan. 24	Notice of hearing (2/2)	405
Feb. 14	Placed on General File	661
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1190. By Hudkins, Engel, Kremer, D. Pederson

Jan. 11	Read first time	234

Jan. 13	Referred to Government, Military and Veterans Affairs Committee	274
Jan. 20	Notice of hearing (1/27)	364
Feb. 2	Hudkins priority bill	530
Feb. 7	Placed on General File - Com AM2114	572
Feb. 17	Com AM2114 p. 572 adopted. Advanced for Review	746
Feb. 22	Placed on Select File - AM7203	764
Mar. 7	AM7203 (E & R) p. 764 adopted. Advanced for Engrossment	921
Mar. 9	Correctly Engrossed	970
Mar. 16	Final Reading 44-0-5	1109
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 1191. By Brown, Quandahl

Jan. 11	Read first time	240
Jan. 13	Referred to Government, Military and Veterans Affairs Committee	274
Feb. 1	Notice of hearing (2/9)	513
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 1192. By Nebraska Retirement Systems Committee

Jan. 11	Read first time	241
Jan. 13	Referred to Nebraska Retirement Systems Committee	274
Jan. 19	Notice of hearing (1/26)	319
Feb. 7	Placed on General File - Com AM2262	560
Feb. 7	Nebraska Retirement Systems Committee priority bill	564
Feb. 28	Com AM2262 p. 560 adopted. Advanced for Review	833
Mar. 2	Placed on Select File - AM7213 (printed separate)	888
Mar. 10	AM7213 (E & R) (printed separate) adopted. Advanced for Engrossment	1008
Mar. 13	Correctly Engrossed	1045
Mar. 16	Dispensing of reading at large approved. Final Reading w/E 43-0-6	1115
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1128
Mar. 21	Approved by Governor (3/21)	1173

(Provisions/portions of LB 676 amended into LB 1192 by Com AM2262)

LEGISLATIVE BILL 1193. By Hilgert, Brown

Jan. 11	Read first time	241

Jan. 13	Referred to Revenue Committee	274
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1194. By Thompson, Preister

Jan. 11	Read first time	241
Jan. 13	Referred to Health and Human Services Committee	274
Jan. 25	Hilgert name added	425
Jan. 31	Notice of hearing (2/11)	502
Feb. 23	Placed on General File	768
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1194 amended into LB 1115 by Com AM2715)

LEGISLATIVE BILL 1195. By Thompson, Jensen

Jan. 11	Read first time	241
Jan. 13	Referred to Health and Human Services Committee	274
Jan. 25	Notice of hearing (2/9)	421
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1196. By Schimek

Jan. 11	Read first time	241
Jan. 13	Referred to Government, Military and Veterans Affairs Committee	274
Jan. 20	Notice of hearing (1/28)	364
Feb. 7	Placed on General File	572
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1197. By Bromm

Jan. 11	Read first time	242
Jan. 13	Referred to Banking, Commerce and Insurance Committee	274
Jan. 31	Notice of hearing (2/7)	503
Feb. 17	Placed on General File - Com AM2328	720
Mar. 2	Com AM2328 p. 720 adopted. Advanced for Review	885
Mar. 7	Placed on Select File	919
Mar. 16	Advanced for Engrossment	1136
Mar. 21	Correctly Engrossed	1185
Mar. 24	Final Reading w/E 47-0-2	1283
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1198. By Bohlke, Janssen

Jan. 12	Read first time	251
Jan. 13	Referred to Urban Affairs Committee	274
Jan. 18	Notice of hearing (1/25)	303
Jan. 27	Placed on General File	462
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1199. By Price

Jan. 12	Read first time	251
Jan. 13	Referred to Government, Military and Veterans Affairs Committee	274
Jan. 20	Notice of hearing (1/28)	364
Feb. 7	Indefinitely postponed	573

LEGISLATIVE BILL 1200. By Nebraska Retirement Systems Committee

Jan. 12	Read first time	251
Jan. 13	Referred to Nebraska Retirement Systems Committee	274
Jan. 26	Notice of hearing (2/2)	428
Feb. 7	Placed on General File - Com AM2263	562
Feb. 7	Nebraska Retirement Systems Committee priority bill	564
Mar. 30	Com AM2263 p. 562 adopted. Advanced for Review	1458
Apr. 3	Placed on Select File - AM7253 (printed separate)	1490
Apr. 6	AM7253 (E & R) (printed separate) adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 46-0-3	1718
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1201. By Brashear

Jan. 12	Read first time	252
Jan. 13	Referred to Judiciary Committee	274
Jan. 19	Notice of hearing (1/26)	328
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1202. By Brashear

Jan. 12	Read first time	252
Jan. 13	Referred to Judiciary Committee	274
Jan. 19	Notice of hearing (1/26)	328
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1203. By Brashear

Jan. 12	Read first time	252
Jan. 13	Referred to Judiciary Committee	274
Jan. 19	Notice of hearing (1/26)	328
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 1204. By Brashear

Jan. 12	Read first time	252
Jan. 13	Referred to Judiciary Committee	274
Jan. 26	Notice of hearing (2/2)	444
Feb. 3	Placed on General File - Com AM2259	551
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1204 amended into LB 921 by AM2612)

LEGISLATIVE BILL 1205. By Brashear

Jan. 12	Read first time	252
Jan. 19	Referred to Judiciary Committee	318
Feb. 2	Notice of hearing (2/11)	523
Feb. 29	Placed on General File	849
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1206. By Kristensen

Jan. 12	Read first time	252
Jan. 19	Referred to Government, Military and Veterans Affairs Committee	318
Jan. 20	Notice of hearing (1/28)	364
Feb. 7	Placed on General File	572
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1207. By Engel, Bromm

Jan. 12	Read first time	253
Jan. 19	Referred to Banking, Commerce and Insurance Committee	318
Jan. 31	Notice of hearing (2/8)	504
Feb. 17	Indefinitely postponed	720

LEGISLATIVE BILL 1208. By Landis

Jan. 12	Read first time	253
Jan. 19	Referred to Banking, Commerce and Insurance Committee	318
Jan. 21	Notice of hearing (1/31)	376
Feb. 2	Placed on General File - Com AM2207	524
Feb. 22	Speaker priority bill	760

Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1208 amended into LB 1253 by AM2692)

LEGISLATIVE BILL 1209. By Landis

Jan. 12	Read first time	253
Jan. 19	Referred to Banking, Commerce and Insurance Committee	318
Jan. 21	Notice of hearing (1/31)	376
Feb. 2	Placed on General File	524
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1209A. By Landis

Feb. 23	Read first time. Placed on General File	777
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1210. By Robak, Bohlke, Kiel, Price, Schimek, Suttle

Jan. 12	Read first time	259
Jan. 19	Referred to Health and Human Services Committee	318
Jan. 31	Notice of hearing (2/16)	502
Feb. 28	Placed on General File	821
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1211. By Robak, Bohlke, Suttle

Jan. 12	Read first time	259
Jan. 19	Referred to Health and Human Services Committee	318
Jan. 31	Notice of hearing (2/23)	502
Feb. 28	Placed on General File - Com AM2534	832
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1212. By Dierks

Jan. 12	Read first time	259
Jan. 19	Referred to Health and Human Services Committee	318
Jan. 31	Notice of hearing (2/23)	502
Feb. 28	Placed on General File	821
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1212 amended into LB 1115 by Com AM2715)

LEGISLATIVE BILL 1213. By Education Committee

Jan. 12	Read first time	260
Jan. 18	Education Committee priority bill	297
Jan. 19	Referred to Education Committee	318
Jan. 25	Notice of hearing (2/1)	415

Feb. 17	Placed on General File - Com AM2305	720
Mar. 15	Com AM2305 p. 720 adopted. Advanced for Review	1097
Mar. 21	Placed on Select File - AM7239 (printed separate)	1154
Mar. 24	AM7239 (E & R) (printed separate) adopted. Advanced for Engrossment	1291
Mar. 27	Correctly Engrossed	1373
Mar. 30	Raikes AM3138 printed	1464
Apr. 3	Bohlke-Coordsen-Kremer AM3234 printed separate	1497
Apr. 5	Bohlke-Kremer-Coordsen-Vrtiska AM3318 printed separate	1618
Apr. 6	Bromm AM3340 printed	1653
Apr. 10	Motion to return to Select File for Raikes specific AM3138 p. 1464 withdrawn. Returned to Select File for Raikes specific AM3369. Raikes motion to suspend rules to permit consideration of AM3369 prevailed. Raikes specific AM3369 p. 1686 adopted. Advanced for Reengrossment. Motion to return to Select File for Bohlke et al. specific AM3234 (printed separate) withdrawn. Motion to return to Select File for Bohlke et al. specific AM3318 (printed separate) withdrawn. Bromm AM3340 p. 1653 withdrawn. Returned to Select File for Bromm specific AM3364. Bromm specific AM3364 adopted. Advanced for Reengrossment. Motion to return to Select File for Bohlke et al. reoffered specific AM3234 (printed separate) withdrawn. Motion to return to Select File for Wehrbein-Bohlke specific AM3374 (on file) failed	1686
Apr. 10	Motion to return to Select File for Brashear specific FA405 pending	1692
Apr. 10	Motion p. 1692 to return to Select File for Brashear specific FA405 pending. Bohlke unanimous consent to bracket until 4/12/2000. Chambers objected. Bohlke motion to bracket until 4/12/2000 prevailed	1693
Apr. 10	Correctly Reengrossed	1698
Apr. 10	ER9175 change	1699
Apr. 12	Motion p. 1692 to return to Select File for Brashear specific FA405 withdrawn	1768
Apr. 12	Final Reading 47-0-2	1768
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1324 amended into LB 1213 by AM3369)

LEGISLATIVE BILL 1214. By Speaker Kristensen, at the request of the Governor

Jan. 12	Read first time	260
Jan. 19	Referred to Appropriations Committee	318
Jan. 20	Notice of hearing (1/27)	360
Mar. 9	Placed on General File - Com AM2635	974
Mar. 13	Com AM2635 p. 974 pending	1034
Mar. 13	Chambers FA319 to Com AM2635 withdrawn. Com AM2635 p. 974 adopted. Advanced for Review	1036
Mar. 14	Placed on Select File - AM7231	1067
Mar. 21	AM7231 (E & R) p. 1067 adopted. Advanced for Engrossment	1168
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 45-1-3	1269
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1214A. By Kristensen, Wehrbein

Mar. 9	Read first time. Placed on General File	973
Mar. 13	Advanced for Review	1036
Mar. 14	Placed on Select File	1067
Mar. 21	Advanced for Engrossment	1168
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 46-1-2	1270
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1215. By Speaker Kristensen, at the request of the Governor

Jan. 12	Read first time	260
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/7)	406
Mar. 9	Placed on General File	974
Mar. 13	Advanced for Review	1036
Mar. 14	Placed on Select File	1067
Mar. 21	Advanced for Engrossment	1168
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 46-0-3	1271
Mar. 24	President signed	1276

Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1216. By Speaker Kristensen, at the request of the Governor

Jan. 12	Read first time	260
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/8)	406
Mar. 9	Placed on General File - Com AM2688	974
Mar. 13	Com AM2688 p. 974 adopted. Dw. Pedersen AM2702 adopted. Advanced for Review	1036
Mar. 14	Placed on Select File - AM7232	1067
Mar. 21	AM7232 (E & R) p. 1067 adopted. Wehrbein AM2810 to Com AM2688 adopted. Coordsen AM2889 adopted. Advanced for Engrossment	1168
Mar. 22	Correctly Engrossed. ER9136 change	1213
Mar. 24	Dispensing of reading at large approved. Final Reading w/E 47-0-2	1272
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

(Provisions/portions of LB 1289 amended into LB 1216 by AM2702)

LEGISLATIVE BILL 1217. By Speaker Kristensen, at the request of the Governor

Jan. 12	Read first time	261
Jan. 19	Referred to Appropriations Committee	318
Jan. 20	Notice of hearing (1/27)	360
Mar. 9	Placed on General File - Com AM2629 (printed separate)	975
Mar. 13	Com AM2629 (printed separate) adopted	1043
Mar. 13	Thompson AM2778 printed	1047
Mar. 13	Chambers AM2819 printed	1048
Mar. 13	Chambers FA320 and FA321 printed. Baker AM2827 printed.	1049
Mar. 14	Brashear AM2803 to Com AM2629 printed	1053
Mar. 14	Thompson unanimous consent to replace pending AM2778 p. 1047 with substitute amendment. No objections. Thompson AM2778 p. 1047 withdrawn. Thompson substitute AM2852 adopted	1065
Mar. 14	Chambers pending AM2819 p. 1048 pending	1067

Mar. 14	Tyson AM2804 printed	1069
Mar. 14	Chambers motion to bracket until 4/12/2000 withdrawn. Chambers pending AM2819 p. 1048 pending. Chambers FA323 to AM2819 lost	1069
Mar. 14	Chambers motion to reconsider vote on FA323 p. 1070 withdrawn. Chambers pending AM2819 p. 1048 adopted. Baker AM2827 p. 1049 withdrawn. Advanced for Review	1072
Mar. 16	Placed on Select File - AM7234 (printed separate)	1104
Mar. 21	AM7234 (E & R) (printed separate) adopted. Brashear AM2803 p. 1053 withdrawn. Tyson unanimous consent to replace pending AM2804 p. 1069 with substitute amendment. No objections. Tyson AM2804 p. 1069 withdrawn. Tyson substitute AM2935 to AM7234 adopted. Chambers FA320 p. 1049 withdrawn. Chambers unanimous consent to replace pending FA321 p. 1049 with substitute amendment. No objections. Chambers FA321 p. 1049 withdrawn. Chambers substitute AM2937 to AM7234 lost. Raikes AM2964 to AM7234 lost	1169
Mar. 21	Schimek-Hilgert AM2972 to AM7234 withdrawn. Bromm AM2983 to AM7234 adopted	1186
Mar. 21	Coordsen AM2976 to AM7234 adopted. Chambers AM2982 to AM7234 pending. Kristensen FA337 to AM2982 pending. Passed over	1189
Mar. 22	Kristensen FA337 p. 1191 and Chambers AM2982 p. 1190 withdrawn. Wehrbein FA338 to AM7234 adopted. Advanced for Engrossment	1200
Mar. 22	Correctly Engrossed. ER9137 change	1213
Mar. 24	Dispensing of reading at large approved. Final Reading w/E 42-4-3	1273
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor with line-item vetoes (3/30)	1467
Apr. 3	Appropriations Committee Report	1484
Apr. 3	Appropriations Committee motion to override line-item vetoes failed 18-30-1	1500
Apr. 3	Crosby-Beutler motion to override line-item vetoes in Sec. 29, withdrawn. Crosby-Beutler motion to override line-item vetoes in Sec. 48, withdrawn. Crosby-Beutler motion to override line-item veto in Sec. 37, withdrawn. Jensen motion to override line-item vetoes in Sec. 19, 21, 22, and 23, passed 43-2-4. Jensen motion to override line-item vetoes in Sec. 24, passed 41-2-6. Janssen motion to override veto in Sec. 25, failed 18-27-4. Schrock motion to override veto in Sec. 39, withdrawn	1512

Apr. 3	Communication	1521
Apr. 3	Certificate	1522
Apr. 12	Message from Secretary of State	1783
Apr. 12	Certificate	1784

(Provisions/portions of LB 1113 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1163 amended into LB 1217 by AM2852)
(Provisions/portions of LB 1172 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1175 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1185 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1242 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1314 amended into LB 1217 by Com AM2629)
(Provisions/portions of LB 1416 amended into LB 1217 by AM2983)

LEGISLATIVE BILL 1218. By Landis, Cudaback, Price

Jan. 12	Read first time	264
Jan. 19	Referred to Transportation and Telecommunications Committee	318
Jan. 21	Notice of hearing (1/31)	374
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1219. By Appropriations Committee

Jan. 12	Read first time	264
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/9)	406
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1220. By Schrock

Jan. 12	Read first time	265
Jan. 19	Referred to Natural Resources Committee	318
Jan. 19	Notice of hearing (1/28)	328
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1221. By Business and Labor Committee

Jan. 12	Read first time	265
Jan. 19	Referred to Business and Labor Committee	318
Jan. 21	Notice of hearing (1/31)	383
Feb. 8	Business and Labor Committee priority bill	596
Feb. 9	Placed on General File - Com AM2172	608
Mar. 30	Com AM2172 p. 608 adopted. Advanced for Review	1458
Apr. 3	Placed on Select File - AM7256	1490
Apr. 6	AM7256 (E & R) p. 1490 adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644

Apr. 11	Dispensing of reading at large approved. Final Reading w/E 45-0-4	1719
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1222. By Vrtiska, Aguilar, Baker, Beutler, Bohlke, Bromm, Byars, Connealy, Coordsen, Cudaback, Dickey, Dierks, Engel, Hudkins, Janssen, Jones, Kremer, Kristensen, Matzke, Raikes, Schmitt, Schrock, Smith, Stuhr, Tyson, Wehrbein, Wickersham

Jan. 12	Read first time	265
Jan. 19	Referred to Agriculture Committee	318
Jan. 28	Notice of hearing (2/8)	493
Feb. 1	Vrtiska priority bill	513
Mar. 2	Placed on General File - Com AM2317	889
Mar. 23	Chambers motion to bracket until 4/10/2000 withdrawn. Passed over	1256
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1222 amended into LB 1348 by AM3131)

LEGISLATIVE BILL 1222A. By Vrtiska

Mar. 9	Read first time. Placed on General File	993
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1223. By Wehrbein

Jan. 12	Read first time	265
Jan. 19	Referred to Revenue Committee	318
Jan. 25	Notice of hearing (2/16)	421
Feb. 17	Wehrbein priority bill	745
Mar. 13	Placed on General File - Com AM2760 (printed separate)	1025
Apr. 4	Com AM2760 (printed separate) adopted. Advanced for Review	1556
Apr. 5	Placed on Select File - AM7268	1596
Apr. 6	AM7268 (E & R) p. 1596 adopted. Advanced for Engrossment	1643
Apr. 10	Correctly Engrossed	1655
Apr. 10	ER9164 change	1656
Apr. 12	Final Reading 43-0-6	1763
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1223A. By Wehrbein

Mar. 15	Read first time. Placed on General File	1100
Apr. 4	Advanced for Review	1557
Apr. 5	Placed on Select File	1596
Apr. 5	Wehrbein AM3285 printed	1597
Apr. 6	Wehrbein pending AM3285 p. 1597 adopted. Advanced for Engrossment	1643
Apr. 10	Correctly Engrossed	1655
Apr. 12	Final Reading 40-0-9	1764
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1224. By Crosby, Bohlke, Hartnett, Kiel, Robak, Thompson, Tyson

Jan. 12	Read first time	265
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/1)	405
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1225. By Lynch, Bohlke, Bromm, Byars, Chambers, Dickey, Dierks, Jones, Landis, Price, Quandahl, Robak, Suttle, Thompson

Jan. 12	Read first time	265
Jan. 19	Referred to Health and Human Services Committee	318
Jan. 31	Notice of hearing (2/16)	502
Feb. 8	Notice of hearing (2/16) (cancel)	580
Feb. 8	Notice of hearing (2/24) (reschedule)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1226. By Thompson, Bohlke, Price, Suttle

Jan. 12	Read first time	266
Jan. 19	Referred to Education Committee	318
Jan. 31	Notice of hearing (2/7)	502
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1226 amended into LB 1399 by Com AM2719)

LEGISLATIVE BILL 1227. By Thompson, Bohlke, Hartnett, Matzke, Price, Schrock, Suttle

Jan. 12	Read first time	266
Jan. 19	Referred to Education Committee	318
Jan. 31	Notice of hearing (2/7)	502
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1227 amended into LB 1399 by Com AM2719)

LEGISLATIVE BILL 1228. By Thompson, Bohlke, Price, Schrock

Jan. 12	Read first time	266
Jan. 19	Referred to Education Committee	318
Jan. 31	Notice of hearing (2/7)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1229. By Brashear, Quandahl

Jan. 12	Read first time	270
Jan. 19	Referred to Judiciary Committee	318
Feb. 2	Notice of hearing (2/11)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1230. By Coordsen

Jan. 12	Read first time	270
Jan. 19	Referred to Revenue Committee	318
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1231. By Brown

Jan. 12	Read first time	270
Jan. 19	Referred to Health and Human Services Committee	318
Jan. 31	Notice of hearing (2/10)	501
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1231 amended into LB 1135 by AM2585)

LEGISLATIVE BILL 1232. By Wickersham

Jan. 12	Read first time	270
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (1/31)	405
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1233. By Wickersham

Jan. 12	Read first time	270
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/7)	406
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1234. By Schrock, Aguilar, Baker, Beutler, Bohlke, Bourne, Bromm, Bruning, Byars, Connealy, Coordsen, Cudaback, Dickey, Hartnett, Hudkins, Janssen, Jensen, Jones, Kiel, Kremer, Kristensen, Lynch, D. Pederson, Preister, Price, Robak, Schimek, Schmitt, Smith, Stuhr, Thompson, Tyson, Vrtiska, Wehrbein, Wickersham

Jan. 12	Read first time	270
Jan. 19	Referred to Natural Resources Committee	318
Jan. 25	Notice of hearing (2/2)	420
Feb. 3	Schrock priority bill	547
Feb. 8	Smith name withdrawn	597
Feb. 24	Schmitt name withdrawn	800
Feb. 25	Placed on General File - Com AM2553	814
Mar. 7	Baker name withdrawn	936
Mar. 8	Price name withdrawn	957
Mar. 9	Schrock AM2622 to Com AM2553 printed	969
Mar. 10	Stuhr AM2772 to Com AM2553 printed	1014
Mar. 10	Connealy AM2762 to Com AM2553 printed	1020
Mar. 10	Robak name withdrawn	1022
Mar. 13	Jones AM2765 to Com AM2553 printed	1030
Mar. 14	Preister AM2854 to Com AM2553 printed	1070
Mar. 15	Schmitt AM2572 and AM2573 to Com AM2553 printed	1085
Mar. 23	Schmitt AM2967 to AM2762 printed	1254
Mar. 27	Beutler AM3104 to Com AM2553 printed	1390
Mar. 28	Chambers motion to bracket until 4/10/2000 withdrawn. Com AM2553 p. 814 pending. Schrock AM2622 p. 969 and Stuhr AM2772 p. 1014 withdrawn. Connealy pending AM2762 p. 1020 adopted	1402
Mar. 28	Jones AM2765 p. 1030 withdrawn. Preister unanimous consent to replace pending AM2854 p. 1070 with substitute amendment. No objections. Preister AM2854 p. 1070 withdrawn. Preister substitute AM3136 to AM2762 adopted. Schmitt AM2572 and AM2573 p. 1085 withdrawn. Schmitt pending AM2967 p. 1254 and Beutler AM3104 p. 1390 adopted. Chambers FA354 to AM2762 lost. Bromm FA355 to AM2762 and Chambers FA356 to FA355 adopted. Baker AM3147 to AM2762 lost	1404
Mar. 28	Jones AM3142 printed	1409
Mar. 29	Jones AM3149, Chambers FA357, and Baker AM3154 to AM2762 lost. Wickersham AM3152 to AM2762 pending	1417
Mar. 29	Wickersham AM3152 p. 1419 withdrawn. Jones AM3161 to AM2762 adopted. Schmitt AM3164 to AM2762 lost. Chambers FA358 to AM2762 pending. Speaker ordered removal from agenda	1421
Mar. 29	Raikes AM3181 printed	1438

Mar. 30	Chambers FA358 p. 1422 withdrawn. Com AM2553 p. 814 adopted as amended. Jones unanimous consent to replace pending AM3142 p. 1409 with substitute amendment. No objections. Jones AM3142 p. 1409 withdrawn. Raikes substitute pending AM3181 p. 1438 adopted. Robak-Schmitt AM3150 withdrawn. Advanced for Review	1456
Apr. 3	Placed on Select File - AM7251	1487
Apr. 3	Schrock AM3223 to AM7251 printed	1505
Apr. 3	Schrock AM3196 to AM7251 printed	1509
Apr. 4	Beutler-Schrock AM3263 printed separate	1544
Apr. 4	Schrock AM3271 to AM7251 printed	1548
Apr. 5	AM7251 (E & R) p. 1487 adopted. Schrock AM3223 p. 1505, AM3196 p. 1509, and AM3271 p. 1548 withdrawn. Beutler-Schrock AM3263 p. 1544 withdrawn. Brown AM3313 to AM7251 withdrawn. Schrock motion to suspend rules to permit consideration of AM3324 prevailed. Schrock AM3324 (on file) adopted as amended by Wickersham FA393. Robak-Schmitt reoffered AM3150 p. 1457 withdrawn. Advanced for Engrossment	1615
Apr. 6	Correctly Engrossed	1644
Apr. 6	ER9157 change	1645
Apr. 11	Dispensing of reading at large approved. Final Reading 43-4-2	1720
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

(Provisions/portions of LB 1000 amended into LB 1234 by AM3324)
(Provisions/portions of LB 1040 amended into LB 1234 by AM3181)
(Provisions/portions of LB 1381 amended into LB 1234 by AM3324)

LEGISLATIVE BILL 1234A. By Schrock

Apr. 3	Read first time. Placed on General File	1483
Apr. 4	Advanced for Review	1540
Apr. 4	Placed on Select File	1545
Apr. 4	Schrock AM3274 printed	1556
Apr. 5	Schrock AM3274 p. 1556 withdrawn. Schrock AM3329 adopted. Advanced for Engrossment	1617
Apr. 6	Correctly Engrossed	1644
Apr. 6	ER9156 change	1645
Apr. 11	Final Reading 45-0-4	1721
Apr. 11	President signed	1724

Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1235. By Smith

Jan. 12	Read first time	271
Jan. 19	Referred to Urban Affairs Committee	318
Feb. 1	Notice of hearing (2/15)	516
Mar. 9	Placed on General File	959
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1236. By Bohlke

Jan. 12	Read first time	271
Jan. 19	Referred to Education Committee	318
Jan. 31	Notice of hearing (2/22)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1237. By Bohlke

Jan. 12	Read first time	271
Jan. 19	Referred to Judiciary Committee	318
Jan. 19	Notice of hearing (1/26)	328
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1238. By Bromm, Hudkins, D. Pederson, Quandahl, Smith, Wickersham

Jan. 12	Read first time	271
Jan. 19	Referred to Urban Affairs Committee	318
Jan. 25	Notice of hearing (2/1)	420
Feb. 3	Placed on General File	547
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1239. By Bromm

Jan. 12	Read first time	271
Jan. 19	Referred to Transportation and Telecommunications Committee	318
Jan. 26	Notice of hearing (2/8)	444
Feb. 25	Placed on General File	810
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1240. By Bromm

Jan. 12	Read first time	271
Jan. 19	Referred to Transportation and Telecommunications Committee	318
Jan. 21	Notice of hearing (2/1)	374

Feb. 15	Indefinitely postponed	685

(Provisions/portions of LB 1240 amended into LB 1285 by Com FA302)

LEGISLATIVE BILL 1241. By Smith

Jan. 12	Read first time	271
Jan. 13	Dw. Pedersen name added	296
Jan. 19	Referred to General Affairs Committee	318
Jan. 26	Redfield, Brown, and Tyson names added	459
Jan. 27	Notice of hearing (2/14)	468
Feb. 7	Engel name added	572
Feb. 28	Placed on General File - Com AM2421	826
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1241 amended into LB 659 by AM2542)

LEGISLATIVE BILL 1242. By Crosby, Beutler, Landis

Jan. 13	Read first time	279
Jan. 19	Referred to Appropriations Committee	318
Jan. 24	Notice of hearing (2/8)	406
Jan. 27	Notice of hearing (2/8) (cancel)	467
Jan. 27	Notice of hearing (2/11) (reschedule)	467
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1242 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1243. By Bohlke, Cudaback, Engel, Hudkins, Lynch, Matzke, D. Pederson, Price, Raikes, Robak, Schimek, Stuhr, Suttle, Thompson, Wickersham

Jan. 13	Read first time	279
Jan. 13	Price priority bill	288
Jan. 19	Referred to Education Committee	318
Jan. 28	Redfield name added	494
Jan. 31	Notice of hearing (2/14)	502
Feb. 16	Placed on General File - Com AM2446	715
Feb. 23	Com AM2446 p. 715 adopted as amended by Bohlke AM2507. Advanced for Review	769
Feb. 25	Placed on Select File - AM7209	811
Mar. 1	Thompson AM2455 printed	856
Mar. 9	AM7209 (E & R) p. 811 adopted. Thompson pending AM2455 p. 856 adopted. Bohlke AM2744 to AM7209 adopted. Advanced for Engrossment	994
Mar. 13	Correctly Engrossed. ER9126 change	1045
Apr. 4	Dispensing of reading at large approved. Final Reading 43-1-5	1576
Apr. 4	President signed	1583

Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 449 amended into LB 1243 by AM2455)
(Provisions/portions of LB 1334 amended into LB 1243 by AM2744)

LEGISLATIVE BILL 1243A. By Bohlke

Feb. 23	Read first time. Placed on General File	776
Feb. 25	Advanced for Review	807
Feb. 28	Placed on Select File	818
Mar. 9	Advanced for Engrossment	998
Mar. 13	Correctly Engrossed	1045
Apr. 4	Final Reading 42-1-6	1577
Apr. 4	President signed	1583
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 1244. By Bohlke, Aguilar, Janssen

Jan. 13	Read first time	279
Jan. 19	Referred to Natural Resources Committee	318
Jan. 25	Notice of hearing (2/3)	420
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 1245. By Wickersham

Jan. 13	Read first time	279
Jan. 19	Referred to Education Committee	319
Jan. 31	Notice of hearing (2/15)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1246. By Robak, Schmitt

Jan. 13	Read first time	279
Jan. 19	Referred to Education Committee	319
Jan. 31	Notice of hearing (2/15)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1247. By Vrtiska

Jan. 13	Read first time	279
Jan. 19	Referred to Appropriations Committee	319
Jan. 24	Notice of hearing (2/9)	406
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1248. By Dierks, Kremer, D. Pederson

Jan. 13	Read first time	280
Jan. 19	Referred to Banking, Commerce and Insurance Committee	319

Jan. 21	D. Pederson name added	384
Jan. 31	Notice of hearing (2/7)	503
Feb. 9	Indefinitely postponed	599

LEGISLATIVE BILL 1249. By Bromm

Jan. 13	Read first time	282
Jan. 19	Referred to Transportation and Telecommunications Committee	319
Jan. 26	Notice of hearing (2/8)	444
Feb. 25	Placed on General File	810
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1249 amended into LB 1361 by AM3328)

LEGISLATIVE BILL 1250. By Bromm

Jan. 13	Read first time	283
Jan. 19	Referred to Banking, Commerce and Insurance Committee	319
Jan. 31	Notice of hearing (2/15)	504
Feb. 17	Indefinitely postponed	720

LEGISLATIVE BILL 1251. By Raikes, Redfield, Wehrbein, Wickersham

Jan. 13	Read first time	283
Jan. 19	Referred to Revenue Committee	319
Jan. 24	Notice of hearing (2/9)	412
Feb. 11	Placed on General File - Com AM2371	641
Feb. 22	Speaker priority bill	760
Mar. 30	Com AM2371 p. 641 adopted. Advanced for Review	1465
Apr. 3	Placed on Select File	1495
Apr. 6	Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 46-0-3	1722
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1252. By Jensen, Bohlke, Quandahl

Jan. 13	Read first time	283
Jan. 19	Referred to Government, Military and Veterans Affairs Committee	319
Feb. 1	Notice of hearing (2/9)	513
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1253. By Crosby, Bohlke, Bruning, Byars, Kristensen

Jan. 13	Read first time	294
Jan. 19	Referred to Banking, Commerce and Insurance Committee	319
Jan. 31	Notice of hearing (2/15)	504
Feb. 16	Crosby priority bill	717
Feb. 17	Aguilar name added	749
Feb. 22	Placed on General File - Com AM2472	751
Mar. 8	Com AM2472 p. 751 adopted. Landis-Bourne AM2692 (on file) pending	944
Mar. 8	Landis-Bourne pending AM2692 (on file) adopted. Advanced for Review	947
Mar. 13	Placed on Select File - AM7230 (printed separate)	1043
Mar. 16	AM7230 (E & R) (printed separate) adopted. Advanced for Engrossment	1122
Mar. 21	Correctly Engrossed	1155
Mar. 21	ER9134 change	1156
Mar. 22	Landis AM3005 printed	1215
Mar. 24	Returned to Select File for Landis specific AM3005 p. 1215. Landis specific AM3005 p. 1215 adopted. Advanced for Reengrossment	1285
Mar. 27	Correctly Reengrossed	1313
Apr. 3	Dispensing of reading at large approved. Final Reading 45-0-4	1523
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

(Provisions/portions of LB 1121 amended into LB 1253 by AM2692)
(Provisions/portions of LB 1208 amended into LB 1253 by AM2692)
(Provisions/portions of LB 1267 amended into LB 1253 by AM3005)

LEGISLATIVE BILL 1254. By Wickersham, Schimek

Jan. 13	Read first time	295
Jan. 19	Referred to Revenue Committee	319
Jan. 31	Notice of hearing (2/24)	505
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1255. By Wickersham, Schimek

Jan. 13	Read first time	295
Jan. 19	Referred to Revenue Committee	319
Jan. 31	Notice of hearing (2/24)	505
Mar. 13	Placed on General File - Com AM2758	1025
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1256. By Tyson

Jan. 13	Read first time	295
Jan. 19	Referred to Banking, Commerce and Insurance Committee	319
Jan. 21	Notice of hearing (1/31)	376
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1257. By Business and Labor Committee

Jan. 13	Read first time	295
Jan. 19	Referred to Business and Labor Committee	319
Jan. 21	Notice of hearing (1/31)	383
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1258. By Aguilar

Jan. 18	Read first time	299
Jan. 20	Referred to Urban Affairs Committee	344
Jan. 21	Urban Affairs Committee priority bill	375
Jan. 25	Notice of hearing (2/1)	420
Feb. 3	Placed on General File	547
Feb. 8	Advanced for Review	591
Feb. 14	Placed on Select File - AM7191	656
Feb. 24	AM7191 (E & R) p. 656 adopted. Advanced for Engrossment	787
Feb. 29	Correctly Engrossed	851
Mar. 10	Final Reading w/E 43-0-6	1006
Mar. 13	President signed	1027
Mar. 13	Presented to Governor (3/13)	1030
Mar. 16	Approved by Governor (3/16)	1148

LEGISLATIVE BILL 1259. By Landis, Beutler, Schimek

Jan. 18	Read first time	299
Jan. 20	Referred to Appropriations Committee	344
Jan. 24	Notice of hearing (2/8)	406
Jan. 27	Notice of hearing (2/8) (cancel)	467
Jan. 27	Notice of hearing (2/11) (reschedule)	467
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 1260. By Wickersham

Jan. 18	Read first time	299
Jan. 20	Referred to Revenue Committee	344
Jan. 24	Notice of hearing (2/3)	412
Feb. 11	Indefinitely postponed	642

(Provisions/portions of LB 1260 amended into LB 968 by Com AM2432)

LEGISLATIVE BILL 1261. By Byars

Jan. 18	Read first time	300
Jan. 20	Referred to Health and Human Services Committee	344
Jan. 31	Notice of hearing (2/23)	502
Feb. 28	Placed on General File	821
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1262. By Byars

Jan. 18	Read first time	300
Jan. 20	Referred to Government, Military and Veterans Affairs Committee	344
Feb. 2	Notice of hearing (2/10)	519
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1263. By Beutler

Jan. 18	Read first time	300
Jan. 20	Referred to Revenue Committee	344
Jan. 24	Notice of hearing (2/9)	412
Mar. 13	Indefinitely postponed	1044

LEGISLATIVE BILL 1264. By Dw. Pedersen

Jan. 18	Read first time	300
Jan. 20	Referred to Health and Human Services Committee	344
Jan. 31	Notice of hearing (2/16)	502
Feb. 28	Indefinitely postponed	821

LEGISLATIVE BILL 1265. By Schrock, Cudaback, Janssen, Kristensen

Jan. 18	Read first time	300
Jan. 20	Referred to Government, Military and Veterans Affairs Committee	344
Jan. 27	Notice of hearing (2/3)	471
Feb. 14	Placed on General File	675
Feb. 22	Speaker priority bill	760
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1266. By Bourne

Jan. 18	Read first time	300
Jan. 20	Referred to Natural Resources Committee	344
Jan. 25	Notice of hearing (2/3)	420
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 1267. By Schrock

Jan. 18	Read first time	301
Jan. 20	Referred to Banking, Commerce and Insurance Committee	344
Jan. 25	Dw. Pedersen name added	425
Jan. 31	Notice of hearing (2/15)	504
Feb. 25	Placed on General File	814
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1267 amended into LB 1253 by AM3005)

LEGISLATIVE BILL 1268. By Kremer

Jan. 18	Read first time	301
Jan. 20	Referred to Transportation and Telecommunications Committee	344
Jan. 26	Notice of hearing (2/15)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1268 amended into LB 1018 by AM2488)

LEGISLATIVE BILL 1269. By Connealy, Bourne, Bromm, Kristensen, Matzke, Quandahl

Jan. 18	Read first time	301
Jan. 20	Referred to Business and Labor Committee	344
Jan. 21	Notice of hearing (1/31)	383
Jan. 21	Kristensen name withdrawn	384
Jan. 25	Quandahl name withdrawn	425
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1270. By Bohlke

Jan. 18	Read first time	301
Jan. 20	Referred to Revenue Committee	344
Jan. 21	Notice of hearing (1/28)	373
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1271. By Landis

Jan. 18	Read first time	301
Jan. 20	Referred to Banking, Commerce and Insurance Committee	344
Jan. 31	Notice of hearing (2/7)	503
Feb. 28	Placed on General File - Com AM2550 (printed separate)	839
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1271 amended into LB 932 by AM3130)

LEGISLATIVE BILL 1272. By Landis

Jan. 18	Read first time	301
Jan. 20	Referred to Education Committee	344
Jan. 24	Notice of hearing (1/31)	390
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1273. By Wehrbein

Jan. 18	Read first time	302
Jan. 20	Referred to Natural Resources Committee	344
Jan. 25	Notice of hearing (2/2)	420
Feb. 3	Placed on General File	551
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1273 amended into LB 1410 by AM3273)

LEGISLATIVE BILL 1273A. By Wehrbein

Feb. 8	Read first time. Placed on General File	575
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1274. By Bohlke, Hudkins, Redfield, Robak, Schimek, Stuhr, Suttle

Jan. 18	Read first time	302
Jan. 20	Referred to Health and Human Services Committee	344
Jan. 21	Price name added	384
Jan. 31	Notice of hearing (2/10)	502
Feb. 17	Indefinitely postponed	732

LEGISLATIVE BILL 1275. By Thompson

Jan. 18	Read first time	311
Jan. 20	Referred to Judiciary Committee	344
Feb. 9	Notice of hearing (2/24)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1276. By Redfield, Bohlke, Coordsen, Quandahl, Raikes, Wickersham

Jan. 18	Read first time	311
Jan. 20	Referred to Revenue Committee	344
Jan. 21	Bruning name added	384
Feb. 2	Notice of hearing (3/2)	521
Mar. 14	Indefinitely postponed	1066

(Provisions/portions of LB 1276 amended into LB 968 by AM2984)

LEGISLATIVE BILL 1277. By Engel, Baker, Brown, Bruning, Matzke, D. Pederson, Quandahl, Schrock, Wickersham

Jan. 18	Read first time	312
Jan. 20	Referred to Judiciary Committee	344
Feb. 9	Notice of hearing (2/24)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1278. By Cudaback

Jan. 18	Read first time	312
Jan. 20	Referred to Education Committee	344
Jan. 31	Notice of hearing (2/8)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1279. By Revenue Committee

Jan. 18	Read first time	312
Jan. 20	Referred to Revenue Committee	344
Jan. 24	Notice of hearing (2/9)	412
Feb. 14	Placed on General File - Com AM2389	659
Feb. 22	Speaker priority bill	760
Apr. 3	Wickersham AM3215 printed	1484
Apr. 5	Com AM2389 p. 659 adopted. Wickersham AM3215 p. 1484 withdrawn. Advanced for Review	1602
Apr. 5	Wickersham AM3301 printed	1604
Apr. 6	Placed on Select File - AM7272	1638
Apr. 10	AM7272 (E & R) p. 1638 adopted. Wickersham AM3301 p. 1604 withdrawn. Wickersham-Beutler AM3361 adopted. Bourne FA404 to AM3361 and Hilgert AM3363 lost. Bourne motion to bracket until 4/12/2000 withdrawn. Advanced for Engrossment	1676
Apr. 10	Correctly Engrossed	1690
Apr. 10	ER9165 change	1691
Apr. 12	Final Reading w/E 39-6-4	1764
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1279 amended into LB 968 by AM2984)

LEGISLATIVE BILL 1280. By Dierks

Jan. 18	Read first time	312
Jan. 20	Referred to Agriculture Committee	344
Jan. 28	Notice of hearing (2/15)	493
Mar. 2	Placed on General File	889
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1281. By Schimek, Coordsen

Jan. 18	Read first time	312
Jan. 20	Referred to Government, Military and Veterans Affairs Committee	344
Jan. 27	Notice of hearing (2/3)	471
Feb. 14	Placed on General File	675
Feb. 22	Speaker priority bill	760
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1282. By Stuhr

Jan. 18	Read first time	312
Jan. 20	Referred to Judiciary Committee	344
Feb. 9	Notice of hearing (2/24)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1283. By Transportation and Telecommunications Committee

Jan. 18	Read first time	313
Jan. 20	Referred to Transportation and Telecommunications Committee	344
Jan. 26	Notice of hearing (2/15)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1284. By Transportation and Telecommunications Committee

Jan. 18	Read first time	313
Jan. 20	Referred to Transportation and Telecommunications Committee	344
Jan. 26	Notice of hearing (2/14)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1285. By Transportation and Telecommunications Committee, Landis

Jan. 18	Read first time	313
Jan. 20	Referred to Transportation and Telecommunications Committee	344
Jan. 21	Notice of hearing (2/1)	374
Feb. 14	Transportation and Telecommunications Committee priority bill	656
Feb. 15	Placed on General File - Com AM2358 (printed separate)	685
Feb. 28	Pending. Bromm AM2456 to Com AM2358 printed	833

Mar. 1	Chair sustained request for division of question on Com AM2358 (printed separate). Com FA301 (1st) (on file) adopted	855
Mar. 1	Com FA302 (2nd) adopted. Advanced for Review	866
Mar. 7	Placed on Select File - AM7215	912
Mar. 23	Bromm-Kristensen-Landis AM2986 printed separate	1264
Mar. 27	AM7215 (E & R) p. 912 adopted. Bromm unanimous consent to replace pending AM2456 p. 833 with substitute amendment. No objections. Bromm AM2456 p. 833 withdrawn. Bromm-Landis-Kristensen substitute AM3082 (printed separate) pending	1312
Mar. 27	Bromm et al. pending AM3082 (printed separate) adopted. Bromm et al. pending AM2986 (printed separate) withdrawn. Advanced for Engrossment	1312
Mar. 28	Correctly Engrossed	1408
Mar. 28	ER9148 change	1409
Apr. 3	Dispensing of reading at large approved. Final Reading w/E 46-0-3	1524
Apr. 3	President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/6)	1656

(Provisions/portions of LB 1240 amended into LB 1285 by Com FA302)

LEGISLATIVE BILL 1286. By Kremer, Baker, Dickey, Hudkins, Jones, Stuhr, Tyson, Wehrbein

Jan. 18	Read first time	313
Jan. 20	Referred to Natural Resources Committee	344
Jan. 25	Notice of hearing (2/2)	420
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1287. By Thompson, Bromm

Jan. 18	Read first time	313
Jan. 20	Referred to Transportation and Telecommunications Committee	344
Jan. 21	Notice of hearing (1/31)	374
Feb. 7	Placed on General File - Com AM2238	567
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1288. By Beutler

Jan. 18	Read first time	314
Jan. 20	Referred to Government, Military and Veterans Affairs Committee	344
Jan. 20	Notice of hearing (1/28)	364

Feb. 7	Placed on General File - Com AM2282	573
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1288 amended into LB 438 by AM2334)

LEGISLATIVE BILL 1289. By Dw. Pedersen

Jan. 18	Read first time	314
Jan. 20	Referred to Judiciary Committee	344
Jan. 26	Notice of hearing (2/2)	444
Feb. 3	Placed on General File	551
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1289 amended into LB 1216 by AM2702)

LEGISLATIVE BILL 1290. By Bohlke

Jan. 18	Read first time	314
Jan. 20	Referred to Education Committee	344
Jan. 31	Notice of hearing (2/15)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1291. By Quandahl, Baker, Dickey, Dierks, Engel, Hilgert, Kremer, Dw. Pedersen, Redfield, Smith, Tyson

Jan. 18	Read first time	314
Jan. 19	Bruning name added	340
Jan. 19	Hartnett name added	341
Jan. 20	Referred to Judiciary Committee	344
Feb. 9	Notice of hearing (2/23)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1292. By Schimek, Wickersham

Jan. 18	Read first time	314
Jan. 20	Referred to Government, Military and Veterans Affairs Committee	344
Feb. 1	Notice of hearing (2/9)	513
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1293. By Connealy, Bourne, Thompson

Jan. 19	Read first time	320
Jan. 21	Referred to Revenue Committee	369
Jan. 25	Notice of hearing (2/11)	421
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1294. By Connealy

Jan. 19	Read first time	320
Jan. 21	Referred to Revenue Committee	369

Jan. 25	Notice of hearing (2/10)	421
Feb. 11	Placed on General File	641
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1295. By Transportation and Telecommunications Committee

Jan. 19	Read first time	320
Jan. 21	Referred to Transportation and Telecommunications Committee	369
Jan. 26	Notice of hearing (2/15)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1296. By Kristensen, Bourne

Jan. 19	Read first time	321
Jan. 21	Referred to Judiciary Committee	369
Jan. 21	Notice of hearing (1/28)	371
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 1297. By Kremer

Jan. 19	Read first time	321
Jan. 21	Referred to Natural Resources Committee	369
Jan. 26	Notice of hearing (2/11)	443
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1298. By D. Pederson

Jan. 19	Read first time	321
Jan. 21	Referred to Health and Human Services Committee	369
Jan. 31	Notice of hearing (2/23)	502
Feb. 28	Placed on General File	821
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1298 amended into LB 352 by AM3073)

LEGISLATIVE BILL 1299. By Jensen

Jan. 19	Read first time	321
Jan. 21	Referred to Health and Human Services Committee	369
Jan. 24	Notice of hearing (2/2)	405
Feb. 16	Placed on General File	714
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1300. By Lynch, Schrock

Jan. 19	Read first time	322
Jan. 21	Referred to Health and Human Services Committee	369

Jan. 31	Notice of hearing (2/16)	502
Feb. 8	Notice of hearing (2/16) (cancel)	580
Feb. 8	Notice of hearing (2/24) (reschedule)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1301. By Hartnett, Redfield

Jan. 19	Read first time	322
Jan. 21	Referred to Urban Affairs Committee	369
Feb. 1	Notice of hearing (2/8)	516
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1302. By Hartnett

Jan. 19	Read first time	322
Jan. 21	Referred to Revenue Committee	369
Jan. 25	Notice of hearing (2/10)	421
Feb. 11	Indefinitely postponed	642
Feb. 11	Lynch name added	654

LEGISLATIVE BILL 1303. By Hartnett, Bruning, Thompson

Jan. 19	Read first time	322
Jan. 21	Referred to Revenue Committee	370
Jan. 31	Notice of hearing (2/24)	505
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1304. By Janssen, Hartnett

Jan. 19	Read first time	322
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	370
Feb. 2	Notice of hearing (2/10)	519
Feb. 14	Placed on General File - Com AM2388	677
Feb. 22	Speaker priority bill	760
Mar. 24	Janssen AM3068 printed	1293
Mar. 30	Com AM2388 p. 677 adopted. Janssen AM3068 p. 1293 withdrawn. Janssen AM3186 adopted. Advanced for Review	1464
Apr. 3	Placed on Select File - AM7258	1491
Apr. 6	AM7258 (E & R) p. 1491 adopted. Advanced for Engrossment	1622
Apr. 6	Correctly Engrossed	1644
Apr. 11	Final Reading 45-0-4	1722
Apr. 11	President signed	1724
Apr. 11	Presented to Governor (4/11)	1726
Apr. 12	Approved by Governor (4/11)	1746

LEGISLATIVE BILL 1305. By Janssen, Baker, Bromm, Connealy, Coordsen, Jones

Jan. 19	Read first time	322
Jan. 21	Referred to Revenue Committee	370
Jan. 25	Notice of hearing (2/11)	421
Feb. 14	Indefinitely postponed	659

LEGISLATIVE BILL 1306. By Hartnett

Jan. 19	Read first time	323
Jan. 21	Referred to Urban Affairs Committee	370
Feb. 1	Notice of hearing (2/15)	516
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1307. By Thompson, Raikes

Jan. 19	Read first time	323
Jan. 21	Referred to Revenue Committee	370
Jan. 31	Notice of hearing (2/23)	505
Feb. 28	Indefinitely postponed	819

LEGISLATIVE BILL 1308. By Schimek

Jan. 19	Read first time	324
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	370
Jan. 27	Notice of hearing (2/3)	471
Feb. 23	Placed on General File	774
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1309. By Hilgert, Connealy, Preister

Jan. 19	Read first time	324
Jan. 21	Referred to Business and Labor Committee	370
Jan. 21	Notice of hearing (1/31)	383
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1310. By Hilgert

Jan. 19	Read first time	324
Jan. 21	Referred to Business and Labor Committee	370
Jan. 28	Notice of hearing (2/7)	489
Feb. 8	Placed on General File	587
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1311. By Hilgert

Jan. 19	Read first time	324
Jan. 21	Referred to Business and Labor Committee	370

Jan. 28	Notice of hearing (2/7)	489
Feb. 10	Placed on General File - Com AM2320	616
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1311 amended into LB 953 by AM2957)

LEGISLATIVE BILL 1312. By Cudaback, Brown

Jan. 19	Read first time	324
Jan. 21	Referred to Business and Labor Committee	370
Feb. 2	Notice of hearing (2/14)	523
Feb. 17	Indefinitely postponed	744

LEGISLATIVE BILL 1313. By Smith, Bruning, Hilgert, Kiel, Preister, Quandahl

Jan. 19	Read first time	324
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	370
Jan. 24	Rereferred to Urban Affairs Committee	387
Feb. 1	Notice of hearing (2/15)	516
Mar. 9	Placed on General File - Com AM2700	963
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1314. By Kiel

Jan. 19	Read first time	325
Jan. 21	Referred to Appropriations Committee	370
Jan. 27	Notice of hearing (2/11)	467
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1314 amended into LB 1217 by Com AM2629)

LEGISLATIVE BILL 1315. By Hartnett, Tyson

Jan. 19	Read first time	325
Jan. 21	Referred to Urban Affairs Committee	370
Feb. 1	Notice of hearing (2/8)	516
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1316. By Stuhr, D. Pederson, Schrock

Jan. 19	Read first time	325
Jan. 21	Referred to Revenue Committee	370
Jan. 31	Notice of hearing (2/28)	506
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1317. By Bromm

Jan. 19	Read first time	325
Jan. 21	Referred to Transportation and Telecommunications Committee	370

Jan. 26	Notice of hearing (2/22)	445
Feb. 25	Placed on General File - Com AM2481 (printed separate)	810
Feb. 29	Com AM2481 (printed separate) adopted. Advanced for Review	853
Mar. 7	Placed on Select File - AM7212	912
Mar. 10	AM7212 (E & R) p. 912 adopted. Beutler AM2757 to Com AM2481 withdrawn. Advanced for Engrossment	1007
Mar. 13	Correctly Engrossed	1045
Mar. 16	Dispensing of reading at large approved. Final Reading w/E 44-0-5	1118
Mar. 16	President signed	1122
Mar. 16	Presented to Governor (3/16)	1129
Mar. 21	Approved by Governor (3/21)	1173

LEGISLATIVE BILL 1318. By Hartnett

Jan. 19	Read first time	325
Jan. 21	Referred to Banking, Commerce and Insurance Committee	370
Jan. 31	Notice of hearing (2/22)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1319. By Hartnett, Thompson

Jan. 19	Read first time	325
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	370
Jan. 25	Bruning name added	425
Jan. 27	Notice of hearing (2/3)	471
Feb. 24	Placed on General File	795
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1320. By Hartnett

Jan. 19	Read first time	325
Jan. 21	Referred to Urban Affairs Committee	370
Feb. 1	Notice of hearing (2/8)	516
Mar. 9	Indefinitely postponed	964

LEGISLATIVE BILL 1321. By Kiel

Jan. 19	Read first time	326
Jan. 21	Referred to Health and Human Services Committee	370
Jan. 31	Notice of hearing (2/17)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1322. By Bromm

Jan. 19	Read first time	333
Jan. 21	Referred to Transportation and Telecommunications Committee	370
Jan. 26	Notice of hearing (2/15)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1323. By Kristensen

Jan. 19	Read first time	333
Jan. 21	Referred to Education Committee	370
Jan. 24	Notice of hearing (1/31)	390
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1324. By Raikes, Bohlke, Price, Redfield, Schrock, Thompson

Jan. 19	Read first time	334
Jan. 21	Referred to Education Committee	370
Jan. 31	Notice of hearing (2/8)	502
Mar. 23	Placed on General File	1232
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1324 amended into LB 1213 by AM3369)

LEGISLATIVE BILL 1325. By Dierks

Jan. 19	Read first time	334
Jan. 21	Referred to Judiciary Committee	370
Jan. 28	Dw. Pedersen name added	493
Feb. 2	Notice of hearing (2/11)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1326. By Schrock

Jan. 19	Read first time	334
Jan. 21	Referred to Appropriations Committee	370
Jan. 24	Notice of hearing (2/1)	406
Feb. 29	Indefinitely postponed	851

LEGISLATIVE BILL 1327. By Schrock

Jan. 19	Read first time	334
Jan. 21	Referred to Natural Resources Committee	370
Jan. 31	Notice of hearing (2/10)	501
Feb. 14	Placed on General File	677
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1328. By Appropriations Committee

Jan. 19	Read first time	334
Jan. 21	Referred to Education Committee	370
Jan. 24	Notice of hearing (1/31)	390
Feb. 1	Placed on General File	510
Mar. 14	Advanced for Review	1073
Mar. 16	Placed on Select File	1104
Mar. 21	Advanced for Engrossment	1191
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 45-1-3	1274
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1329. By Schrock, Dierks, Jones

Jan. 19	Read first time	334
Jan. 21	Referred to Education Committee	370
Jan. 31	Notice of hearing (2/15)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1330. By Wickersham

Jan. 19	Read first time	334
Jan. 21	Referred to Revenue Committee	370
Jan. 25	Notice of hearing (2/16)	421
Feb. 22	Brown priority bill	751
Mar. 13	Placed on General File - Com AM2759	1026
Apr. 3	Raikes AM3127 printed	1537
Apr. 4	Chambers FA371 and FA372 printed. Chambers motion to indefinitely postpone printed. Chambers FA373, FA374, and FA375 printed	1547
Apr. 4	Chambers FA376, FA377, FA378, FA379, FA380, FA381, FA382, FA383, FA384, FA385, FA386, FA387, and FA388 printed	1548
Apr. 5	Com AM2759 p. 1026 adopted. Raikes AM3127 p. 1537 withdrawn. Chambers pending FA371 and FA372 p. 1547 lost. Chambers motion to reconsider vote on FA372 withdrawn. Chambers pending motion p. 1547 to indefinitely postpone pending. Laid over	1610
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1331. By Schrock, Bohlke, Dierks, Engel

Jan. 19	Read first time	335

Jan. 21	Referred to Natural Resources Committee	370
Jan. 25	Notice of hearing (2/9)	420
Feb. 10	Bruning name added	634
Feb. 14	Placed on General File	677
Feb. 29	Aguilar name added	853
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1332. By Wickersham, Jones, Matzke

Jan. 19	Read first time	335
Jan. 21	Referred to Transportation and Telecommunications Committee	370
Jan. 26	Notice of hearing (2/7)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1333. By Wickersham, Jones

Jan. 19	Read first time	335
Jan. 21	Referred to Transportation and Telecommunications Committee	370
Jan. 26	Notice of hearing (2/7)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1334. By Education Committee

Jan. 19	Read first time	335
Jan. 21	Referred to Education Committee	370
Jan. 31	Notice of hearing (2/14)	502
Mar. 2	Placed on General File	888
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1334 amended into LB 1243 by AM2744)

LEGISLATIVE BILL 1335. By Bohlke, Dierks, Hudkins, Schrock, Stuhr, Wickersham

Jan. 19	Read first time	335
Jan. 21	Referred to Education Committee	370
Jan. 21	Price name added	384
Jan. 28	Redfield name added	494
Jan. 31	Notice of hearing (2/14)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1336. By Bohlke, Raikes, Suttle, Wickersham

Jan. 19	Read first time	335
Jan. 21	Referred to Education Committee	370
Jan. 31	Notice of hearing (2/7)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1337. By Kiel, Bourne, Jones, Lynch, Dw. Pedersen, Preister, Price

Jan. 19	Read first time	336
Jan. 21	Referred to Transportation and Telecommunications Committee	370
Jan. 26	Notice of hearing (2/14)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1338. By Kiel, Bourne, Landis, Lynch, Preister, Price, Redfield, Schimek, Suttle, Thompson

Jan. 19	Read first time	336
Jan. 21	Referred to Revenue Committee	370
Jan. 25	Notice of hearing (2/17)	421
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1339. By Tyson, Aguilar, Baker, Bohlke, Bourne, Brashear, Bromm, Bruning, Byars, Connealy, Coordsen, Dickey, Dierks, Engel, Hartnett, Hudkins, Janssen, Jensen, Jones, Kremer, Kristensen, Lynch, Matzke, Dw. Pedersen, D. Pederson, Preister, Price, Quandahl, Raikes, Redfield, Schrock, Smith, Stuhr, Wehrbein

Jan. 19	Read first time	336
Jan. 21	Referred to Revenue Committee	370
Jan. 24	Notice of hearing (2/3)	412
Feb. 8	Indefinitely postponed	578

LEGISLATIVE BILL 1340. By Landis, Wickersham

Jan. 19	Read first time	336
Jan. 21	Referred to Revenue Committee	370
Jan. 25	Notice of hearing (2/16)	421
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1341. By Landis

Jan. 19	Read first time	336
Jan. 21	Referred to Banking, Commerce and Insurance Committee	370
Jan. 31	Notice of hearing (2/7)	503
Feb. 10	Placed on General File - Com AM2324	615
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1341 amended into LB 932 by AM3130)

LEGISLATIVE BILL 1342. By Tyson

Jan. 19	Read first time	336
Jan. 21	Referred to Business and Labor Committee	370

Feb. 2	Notice of hearing (2/14)	523
Feb. 17	Indefinitely postponed	744

LEGISLATIVE BILL 1343. By Bromm, Dickey, Kremer

Jan. 19	Read first time	337
Jan. 21	Referred to Natural Resources Committee	370
Jan. 31	Notice of hearing (2/10)	501
Feb. 25	Placed on General File - Com AM2554	815
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1344. By Jensen, Stuhr

Jan. 19	Read first time	337
Jan. 21	Referred to Judiciary Committee	370
Jan. 28	Redfield name added	494
Feb. 2	Notice of hearing (2/10)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1345. By Hartnett

Jan. 19	Read first time	337
Jan. 21	Referred to Revenue Committee	370
Feb. 2	Notice of hearing (3/2)	521
Mar. 7	Placed on General File	895
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1345 amended into LB 1107A by AM3367)

LEGISLATIVE BILL 1346. By Hartnett

Jan. 19	Read first time	337
Jan. 21	Referred to General Affairs Committee	370
Jan. 27	Notice of hearing (2/7)	467
Feb. 17	Placed on General File	744
Feb. 22	Speaker priority bill	760
Apr. 4	Janssen name added	1589
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1346A. By Hartnett

Feb. 29	Read first time. Placed on General File	849
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1347. By Schimek, Janssen

Jan. 19	Read first time	337
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	370
Jan. 25	Rereferred to General Affairs Committee	421

Jan. 27	Notice of hearing (2/7)	468
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1348. By Wehrbein, Baker, Bromm, Connealy, Coordsen, Dierks, Hudkins, Janssen, Jones, Kremer, Schrock, Stuhr, Wickersham

Jan. 19	Read first time	337
Jan. 21	Referred to Agriculture Committee	370
Jan. 28	Notice of hearing (2/8)	493
Feb. 8	Dickey name added	597
Feb. 9	Connealy priority bill	599
Mar. 2	Placed on General File - Com AM2527	889
Mar. 9	Com AM2527 p. 889 pending	971
Mar. 9	Chambers FA314 to Com AM2527 printed	998
Mar. 13	Beutler AM2788, AM2789, and AM2793 to Com AM2527 printed	1032
Mar. 13	Beutler AM2791, AM2792, AM2790, AM2794, and AM2800 to Com AM2527 printed	1033
Mar. 14	Chambers unanimous consent to replace pending FA314 p. 998 with substitute amendment. No objections. Chambers FA314 p. 998 withdrawn. Chambers substitute FA322 to Com AM2527 adopted. Beutler pending AM2788, AM2789, and AM2793 p. 1032 adopted. Beutler pending AM2791, AM2792, and AM2794 p. 1033 adopted. Beutler AM2790 and AM2800 p. 1033 withdrawn. Com AM2527 p. 889 adopted as amended. Advanced for Review	1054
Mar. 15	Placed on Select File - AM7233	1086
Mar. 22	Beutler AM2993 and Wehrbein-Connealy AM2999 to AM7233 printed	1222
Mar. 22	Kiel AM3009 to AM7233 printed	1223
Mar. 24	Beutler AM3060 to AM7233 printed	1287
Mar. 24	Vrtiska name added	1310
Mar. 28	Connealy-Wehrbein-Vrtiska-Dierks AM3131 to AM7233 printed	1396
Mar. 29	AM7233 (E & R) p. 1086 adopted. Beutler AM2993 p. 1222 withdrawn. Wehrbein unanimous consent to replace Wehrbein-Connealy AM2999 p. 1222 with substitute amendment. No objections Wehrbein-Connealy AM2999 p. 1222 withdrawn. Connealy et al. substitute pending AM3131 p. 1396 adopted. Kiel pending AM3009 p. 1223 lost. Beutler AM3060 p. 1287 withdrawn. Beutler AM3169 to AM3131 lost. Advanced for Engrossment	1425

Mar. 30	Correctly Engrossed	1475
Mar. 30	ER9151 change	1476
Apr. 4	Final Reading 39-0-10	1586
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 1222 amended into LB 1348 by AM3131)

LEGISLATIVE BILL 1348A. By Wehrbein

Mar. 15	Read first time. Placed on General File	1078
Mar. 21	Advanced for Review	1156
Mar. 21	Placed on Select File	1167
Mar. 22	Wehrbein AM3000 printed	1225
Mar. 24	Kiel AM3015 printed	1293
Mar. 29	Wehrbein AM3000 p. 1225 and Kiel AM3015 p. 1293 withdrawn. Wehrbein AM3122 adopted. Advanced for Engrossment	1429
Mar. 30	Correctly Engrossed	1475
Apr. 4	Final Reading 39-0-10	1586
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 1349. By Bromm, Wehrbein

Jan. 19	Read first time	338
Jan. 21	Referred to Appropriations Committee	370
Jan. 27	Notice of hearing (2/8)	467
Mar. 9	Placed on General File - Com AM2618	975
Mar. 14	Com AM2618 p. 975 adopted. Advanced for Review	1073
Mar. 16	Placed on Select File - AM7235 (printed separate)	1104
Mar. 21	AM7235 (E & R) (printed separate) adopted. Advanced for Engrossment	1191
Mar. 22	Correctly Engrossed	1213
Mar. 24	Motion to return to Select File for Lynch specific FA344 withdrawn. Speaker ordered removal from agenda	1274
Mar. 27	Final Reading 34-13-2	1344
Mar. 27	President signed	1345
Mar. 27	Presented to Governor (3/27)	1348
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1350. By Landis

Jan. 19	Read first time	338
Jan. 21	Referred to Natural Resources Committee	370

Jan. 26	Notice of hearing (2/16)	443
Feb. 22	Indefinitely postponed	757

LEGISLATIVE BILL 1351. By Landis

Jan. 19	Read first time	338
Jan. 21	Referred to Revenue Committee	370
Jan. 25	Notice of hearing (2/17)	421
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1352. By Janssen, Baker, Bohlke, Hudkins, Schimek

Jan. 19	Read first time	338
Jan. 21	Referred to Health and Human Services Committee	371
Jan. 31	Notice of hearing (2/11)	502
Feb. 16	Janssen priority bill	714
Feb. 29	Placed on General File - Com AM2535	843
Mar. 8	Com AM2535 p. 843 adopted. Advanced for Review	943
Mar. 13	Placed on Select File - AM7227	1043
Mar. 16	AM7227 (E & R) p. 1043 adopted. Advanced for Engrossment	1122
Mar. 21	Correctly Engrossed	1155
Mar. 24	Returned to Select File for Brashear specific AM3064. Brashear specific AM3064 adopted. Advanced for Reengrossment	1285
Mar. 27	Correctly Reengrossed	1313
Apr. 3	Final Reading w/E 46-0-3. President signed	1525
Apr. 3	Presented to Governor (4/3)	1530
Apr. 10	Approved by Governor (4/7)	1657

(Provisions/portions of LB 920 amended into LB 1352 by AM3064)

LEGISLATIVE BILL 1353. By Wickersham, Coordsen

Jan. 19	Read first time	338
Jan. 21	Referred to Revenue Committee	371
Jan. 24	Notice of hearing (2/2)	411
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1354. By Hartnett

Jan. 19	Read first time	338
Jan. 21	Referred to Revenue Committee	371
Jan. 25	Notice of hearing (2/10)	421
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1355. By Schrock

Jan. 19	Read first time	339
Jan. 21	Referred to Natural Resources Committee	371
Jan. 26	Notice of hearing (2/16)	443
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1356. By Schrock

Jan. 19	Read first time	339
Jan. 21	Referred to Natural Resources Committee	371
Jan. 26	Notice of hearing (2/16)	443
Feb. 22	Indefinitely postponed	757

LEGISLATIVE BILL 1357. By Preister

Jan. 19	Read first time	339
Jan. 21	Referred to Transportation and Telecommunications Committee	371
Jan. 26	Notice of hearing (2/8)	444
Feb. 14	Placed on General File - Com AM2356	660
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1357 amended into LB 1361 by AM3233)

LEGISLATIVE BILL 1358. By Bohlke

Jan. 19	Read first time	339
Jan. 21	Referred to Revenue Committee	371
Jan. 31	Notice of hearing (2/25)	506
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1359. By Dierks, Schmitt

Jan. 19	Read first time	339
Jan. 24	Referred to Natural Resources Committee	387
Jan. 25	Notice of hearing (2/9)	420
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 1360. By Redfield, Brashear, Brown, Engel, Kiel, D. Pederson, Schrock, Smith

Jan. 19	Read first time	339
Jan. 24	Referred to Natural Resources Committee	387
Jan. 25	Notice of hearing (2/3)	420
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1361. By Bromm

Jan. 19	Read first time	340
Jan. 24	Referred to Transportation and Telecommunications Committee	387

Jan. 26	Notice of hearing (2/8)	444
Feb. 14	Placed on General File	659
Mar. 30	Advanced for Review	1466
Apr. 3	Placed on Select File	1496
Apr. 3	Preister AM3233 printed	1530
Apr. 10	Preister pending AM3233 p. 1530 adopted. Bromm AM3328 (on file) adopted. Advanced for Engrossment	1676
Apr. 10	Correctly Engrossed	1690
Apr. 10	ER9174 change	1691
Apr. 12	Dispensing of reading at large approved. Final Reading 47-0-2	1765
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1146 amended into LB 1361 by AM3328)
(Provisions/portions of LB 1249 amended into LB 1361 by AM3328)
(Provisions/portions of LB 1357 amended into LB 1361 by AM3233)

LEGISLATIVE BILL 1362. By Bromm

Jan. 19	Read first time	340
Jan. 24	Referred to Transportation and Telecommunications Committee	387
Jan. 26	Notice of hearing (2/14)	445
Feb. 17	Placed on General File	740
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1363. By Connealy, Bourne, Bromm, Chambers, Cudaback, Dierks, Hilgert, Jensen, Kiel, D. Pederson, Preister, Price, Robak, Smith, Stuhr, Suttle, Tyson

Jan. 19	Read first time	340
Jan. 24	Referred to Business and Labor Committee	387
Jan. 31	Aguilar name added	506
Feb. 2	Notice of hearing (2/14)	523
Feb. 15	Placed on General File	708
Feb. 22	Speaker priority bill	760
Mar. 15	Kiel AM2856 printed	1095
Mar. 16	Kiel pending AM2856 p. 1095 adopted. Advanced for Review	1136
Mar. 21	Placed on Select File - AM7242	1155
Mar. 21	Chambers-Beutler AM2981 printed	1188
Mar. 24	AM7242 (E & R) p. 1155 adopted. Chambers-Beutler pending AM2981 p. 1188 adopted. Advanced for Engrossment	1306

Mar. 27	Correctly Engrossed	1373
Mar. 27	ER9145 change	1374
Apr. 4	Final Reading 42-0-7	1581
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

LEGISLATIVE BILL 1363A. By Connealy

Feb. 25	Read first time. Placed on General File	810
Mar. 16	Advanced for Review	1136
Mar. 21	Placed on Select File	1155
Mar. 24	Chambers AM3062 adopted. Advanced for Engrossment	1307
Mar. 27	Correctly Engrossed	1373
Apr. 4	Final Reading 43-0-6	1582
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor with line-item veto (4/10)	1665
Apr. 12	Communication	1781

LEGISLATIVE BILL 1364. By Hartnett

Jan. 19	Read first time	340
Jan. 24	Referred to Education Committee	387
Jan. 31	Notice of hearing (2/7)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1365. By Raikes

Jan. 19	Read first time	340
Jan. 24	Referred to Government, Military and Veterans Affairs Committee	387
Jan. 26	Notice of hearing (2/2)	458
Feb. 7	Placed on General File	572
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1366. By Beutler

Jan. 19	Read first time	340
Jan. 24	Referred to Health and Human Services Committee	387
Jan. 31	Notice of hearing (2/23)	502
Feb. 28	Placed on General File	821
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1366 amended into LB 352 by AM2817)

LEGISLATIVE BILL 1367. By Urban Affairs Committee

Jan. 20	Read first time	345
Jan. 24	Referred to Urban Affairs Committee	388
Feb. 1	Notice of hearing (2/8)	516
Mar. 9	Placed on General File - Com AM2595	964
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1368. By Urban Affairs Committee

Jan. 20	Read first time	345
Jan. 24	Referred to Revenue Committee	388
Jan. 25	Notice of hearing (2/11)	421
Feb. 14	Placed on General File - Com AM2399	674
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1369. By Urban Affairs Committee

Jan. 20	Read first time	345
Jan. 24	Referred to Appropriations Committee	388
Jan. 28	Notice of hearing (2/10)	476
Mar. 9	Placed on General File	976
Mar. 14	Advanced for Review	1073
Mar. 16	Placed on Select File	1104
Mar. 21	Advanced for Engrossment	1191
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading 44-0-5	1275
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1370. By Urban Affairs Committee

Jan. 20	Read first time	345
Jan. 24	Referred to Urban Affairs Committee	388
Jan. 25	Notice of hearing (2/1)	420
Feb. 9	Urban Affairs Committee priority bill	605
Mar. 15	Placed on General File - Com AM2763	1078
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1371. By Urban Affairs Committee

Jan. 20	Read first time	346
Jan. 24	Referred to Urban Affairs Committee	388
Jan. 25	Notice of hearing (2/1)	420
Mar. 23	Indefinitely postponed	1232

LEGISLATIVE BILL 1372. By Crosby

Jan. 20	Read first time	346
Jan. 24	Referred to Revenue Committee	388
Jan. 31	Notice of hearing (2/23)	505
Feb. 28	Indefinitely postponed	819

LEGISLATIVE BILL 1373. By Vrtiska

Jan. 20	Read first time	346
Jan. 24	Referred to Transportation and Telecommunications Committee	388
Jan. 25	Vrtiska motion to withdraw bill printed	414
Jan. 27	Vrtiska pending motion p. 414 to withdraw bill prevailed. Withdrawn	465

LEGISLATIVE BILL 1374. By Price

Jan. 20	Read first time	346
Jan. 24	Referred to Revenue Committee	388
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1375. By Kristensen

Jan. 20	Read first time	346
Jan. 24	Referred to Transportation and Telecommunications Committee	388
Jan. 26	Notice of hearing (2/7)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1376. By Dierks, Coordsen, Cudaback, Jones, Schmitt

Jan. 20	Read first time	346
Jan. 24	Referred to Revenue Committee	388
Jan. 31	Notice of hearing (2/24)	506
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1377. By Hartnett

Jan. 20	Read first time	347
Jan. 24	Referred to Natural Resources Committee	388
Jan. 26	Notice of hearing (2/11)	443
Mar. 28	Indefinitely postponed	1395

LEGISLATIVE BILL 1378. By Hartnett

Jan. 20	Read first time	347
Jan. 24	Referred to Urban Affairs Committee	388

Feb. 1	Notice of hearing (2/8)	516
Mar. 9	Indefinitely postponed	964

LEGISLATIVE BILL 1379. By Beutler

Jan. 20	Read first time	347
Jan. 24	Referred to Education Committee	388
Jan. 31	Notice of hearing (2/15)	503
Feb. 28	Placed on General File	840
Mar. 14	Advanced for Review	1073
Mar. 16	Placed on Select File	1104
Mar. 21	Beutler AM2955 adopted. Advanced for Engrossment	1191
Mar. 22	Correctly Engrossed	1213
Mar. 22	ER9138 change	1214
Mar. 24	Final Reading 46-0-3	1275
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1379A. By Beutler

Mar. 7	Read first time. Placed on General File	919
Mar. 14	Advanced for Review	1074
Mar. 16	Placed on Select File	1104
Mar. 21	Beutler AM2977 adopted. Advanced for Engrossment	1193
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 46-0-3	1276
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1380. By Beutler

Jan. 20	Read first time	347
Jan. 24	Referred to Judiciary Committee	388
Jan. 26	Notice of hearing (2/3)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1381. By Beutler

Jan. 20	Read first time	347
Jan. 24	Referred to Natural Resources Committee	388
Jan. 31	Notice of hearing (2/17)	501
Feb. 2	Notice of hearing (2/17) (cancel). Notice of hearing (2/16) (reschedule)	523

Feb. 22	Speaker priority bill	760
Mar. 15	Wehrbein AM2807 printed	1082
Mar. 23	Placed on General File - Com AM3026	1252
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1381 amended into LB 1234 by AM3324)

LEGISLATIVE BILL 1381A. By Beutler

Mar. 28	Read first time. Placed on General File	1401
Apr. 5	Wehrbein AM3307 printed	1610
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1382. By Janssen, Cudaback

Jan. 20	Read first time	347
Jan. 24	Referred to Agriculture Committee	388
Jan. 28	Notice of hearing (2/15)	493
Feb. 28	Placed on General File	820
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1383. By Thompson

Jan. 20	Read first time	348
Jan. 24	Referred to Judiciary Committee	388
Feb. 9	Notice of hearing (2/24)	607
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1384. By Kiel

Jan. 20	Read first time	351
Jan. 24	Referred to Business and Labor Committee	388
Feb. 2	Notice of hearing (2/14)	523
Feb. 23	Placed on General File	774
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1385. By Kiel

Jan. 20	Read first time	351
Jan. 24	Referred to Education Committee	388
Jan. 31	Notice of hearing (2/22)	503
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1385 amended into LB 495 by AM3193)

LEGISLATIVE BILL 1386. By Brown, Bourne, Connealy, Hilgert, Dw. Pedersen

Jan. 20	Read first time	352
Jan. 24	Referred to Judiciary Committee	388
Feb. 2	Notice of hearing (2/9)	523

Feb. 29	Placed on General File	849
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1387. By Landis

Jan. 20	Read first time	352
Jan. 24	Referred to Banking, Commerce and Insurance Committee	388
Jan. 31	Notice of hearing (2/22)	504
Feb. 25	Placed on General File - Com AM2475	814
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1387 amended into LB 932 by AM3130)

LEGISLATIVE BILL 1388. By Landis, Dierks, Suttle

Jan. 20	Read first time	352
Jan. 24	Referred to Health and Human Services Committee	388
Jan. 31	Notice of hearing (2/17)	502
Feb. 28	Indefinitely postponed	840

LEGISLATIVE BILL 1389. By Landis

Jan. 20	Read first time	352
Jan. 24	Referred to Banking, Commerce and Insurance Committee	388
Jan. 31	Notice of hearing (2/14)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1390. By Landis

Jan. 20	Read first time	352
Jan. 24	Referred to Judiciary Committee	388
Jan. 26	Notice of hearing (2/2)	444
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1391. By Dw. Pedersen

Jan. 20	Read first time	352
Jan. 24	Referred to Judiciary Committee	388
Feb. 2	Notice of hearing (2/10)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1392. By Dw. Pedersen

Jan. 20	Read first time	352
Jan. 24	Referred to Government, Military and Veterans Affairs Committee	388
Jan. 25	Rereferred to Health and Human Services Committee	421
Jan. 31	Notice of hearing (2/11)	502

Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1392 amended into LB 1167 by Com AM2678)

LEGISLATIVE BILL 1393. By Hartnett, Preister, Thompson

Jan. 20	Read first time	352
Jan. 21	Bruning name added	384
Jan. 24	Referred to Natural Resources Committee	388
Jan. 31	Notice of hearing (2/17)	501
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1394. By Beutler, Baker, Bohlke, Bourne, Brashear, Brown, Bruning, Hartnett, Hilgert, Jensen, Kiel, Landis, Lynch, Matzke, Dw. Pedersen, D. Pederson, Preister, Price, Quandahl, Raikes, Schimek, Schmitt, Schrock, Smith, Stuhr, Suttle, Thompson

Jan. 20	Read first time	353
Jan. 24	Referred to Natural Resources Committee	388
Jan. 31	Notice of hearing (2/10)	501
Jan. 31	Schmitt name withdrawn	506
Feb. 2	Bruning name withdrawn	533
Feb. 7	Baker and Stuhr names withdrawn	572
Feb. 8	Smith name withdrawn	597
Feb. 22	Indefinitely postponed	757
Feb. 24	Beutler motion to place on General File printed	795
Feb. 28	Beutler motion p. 795 to place on General File withdrawn	833

LEGISLATIVE BILL 1395. By Beutler, Brashear, Brown, Bruning, Byars, Hartnett, Jensen, Kiel, Landis, Lynch, Dw. Pedersen, Preister, Price, Quandahl, Raikes, Schimek, Suttle, Thompson, Wehrbein

Jan. 20	Read first time	353
Jan. 24	Referred to Natural Resources Committee	388
Jan. 24	Vrtiska name added	412
Jan. 26	Notice of hearing (2/16)	443
Feb. 2	Notice of hearing (2/16) (cancel)	523
Feb. 2	Notice of hearing (2/17) (reschedule)	523
Feb. 25	Indefinitely postponed	816

LEGISLATIVE BILL 1396. By Wehrbein

Jan. 20	Read first time	353
Jan. 24	Referred to Appropriations Committee	388
Jan. 28	Notice of hearing (2/10)	476
Feb. 17	Appropriations Committee priority bill	745
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1397. By Bohlke

Jan. 20	Read first time	353
Jan. 24	Referred to Education Committee	388
Jan. 24	Notice of hearing (1/31)	390
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1398. By Bohlke

Jan. 20	Read first time	353
Jan. 24	Referred to Revenue Committee	388
Jan. 25	Notice of hearing (2/16)	421
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1399. By Bohlke, Coordsen, Wehrbein, Wickersham

Jan. 20	Read first time	354
Jan. 24	Referred to Education Committee	388
Jan. 24	Notice of hearing (1/31)	391
Feb. 1	Suttle priority bill	510
Mar. 1	Vrtiska name added	876
Mar. 9	Placed on General File - Com AM2719	987
Mar. 10	Schimek-Suttle-Thompson-Bohlke AM2777 to Com AM2719 printed	1021
Mar. 13	Notice of hearing (3/22) (rehearing AM2777)	1043
Mar. 13	Bohlke AM2829 to Com AM2719 printed	1049
Mar. 14	Pending	1056
Mar. 14	Thompson AM2832 and Smith AM2840 to Com AM2719 printed	1064
Mar. 14	Smith AM2839 to Com AM2719 printed	1065
Mar. 14	Thompson AM2857 to Com AM2719 printed	1074
Mar. 15	Com AM2719 p. 987 pending	1084
Mar. 15	Com AM2719 p. 987 pending. Bohlke pending AM2829 p. 1049 to Com AM2719 adopted. Thompson unanimous consent to replace pending AM2832 p. 1064 with substitute amendment. No objections. Thompson AM2832 p. 1064 withdrawn Thompson substitute pending AM2857 p. 1074 adopted. Smith pending AM2840 p. 1064 and AM2839 p. 1065 adopted. Thompson FA327 to Com AM2719 pending	1085
Mar. 15	Thompson pending FA327 p. 1086 adopted. Tyson FA326 to Com AM2719 lost	1092
Mar. 15	D. Pederson FA328, Bohlke FA329, and Chambers FA330 to Com AM2719 adopted. Com AM2719 p. 987 adopted as amended. Advanced for Review	1095

Mar. 21	Placed on Select File - AM7237 (printed separate)	1154
Mar. 22	Thompson AM2950 to AM7237 printed	1205
Mar. 23	Schimek-Bohlke-Thompson-Suttle AM3041 to AM7237 printed	1263
Mar. 24	AM7237 (E & R) (printed separate) adopted. Schimek et al. AM2777 p. 1021 and Thompson AM2950 p. 1205 withdrawn. Thompson AM3040 and Schimek et al. pending AM3041 p. 1263 adopted. Advanced for Engrossment	1289
Mar. 27	Correctly Engrossed. ER9143 change	1313
Apr. 4	Final Reading w/E 44-1-4	1583
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor (4/10)	1663

(Provisions/portions of LB 1226 amended into LB 1399 by Com AM2719)
(Provisions/portions of LB 1227 amended into LB 1399 by Com AM2719)

LEGISLATIVE BILL 1399A. By Bohlke

Mar. 22	Read first time. Placed on General File	1202
Mar. 23	Advanced for Review	1231
Mar. 23	Placed on Select File	1254
Mar. 24	Bohlke AM3039, Schimek AM3044, and Bohlke FA345 adopted. Advanced for Engrossment	1290
Mar. 27	Correctly Engrossed. ER9144 change	1313
Apr. 4	Final Reading w/E 43-1-5	1584
Apr. 4	President signed	1587
Apr. 5	Presented to Governor (4/4)	1591
Apr. 10	Approved by Governor with line-item veto (4/10)	1665
Apr. 12	Thompson motion to override line-item veto withdrawn	1778
Apr. 12	Communication	1782

LEGISLATIVE BILL 1400. By Bohlke

Jan. 20	Read first time	354
Jan. 24	Referred to Education Committee	388
Jan. 24	Notice of hearing (1/31)	391
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1401. By Bohlke

Jan. 20	Read first time	354
Jan. 24	Referred to Education Committee	388
Jan. 31	Notice of hearing (2/22)	503
Feb. 24	Placed on General File - Com AM2545	798

Feb. 29	Com AM2545 p. 798 adopted as amended by Suttle AM2588. Advanced for Review	852
Mar. 7	Placed on Select File - AM7220 (printed separate)	912
Mar. 10	AM7220 (E & R) (printed separate) adopted. Advanced for Engrossment	1008
Mar. 13	Correctly Engrossed	1045
Apr. 4	Beutler AM3272 printed	1559
Apr. 6	Motion to return to Select File for Beutler specific AM3272 p. 1559 withdrawn	1623
Apr. 6	Dispensing of reading at large approved. Final Reading 47-0-2	1633
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Returned by Governor without approval (4/10)	1670
Apr. 12	Communication	1780

LEGISLATIVE BILL 1401A. By Bohlke

Mar. 9	Read first time. Placed on General File	977
Mar. 10	Advanced for Review	1008
Mar. 13	Placed on Select File	1043
Mar. 16	Advanced for Engrossment	1121
Mar. 21	Correctly Engrossed	1155
Apr. 6	Final Reading 46-0-3	1634
Apr. 6	President signed	1634
Apr. 6	Presented to Governor (4/6)	1647
Apr. 10	Returned by Governor without approval (4/10)	1670
Apr. 12	Communication	1780

LEGISLATIVE BILL 1402. By Bohlke

Jan. 20	Read first time	354
Jan. 24	Referred to Banking, Commerce and Insurance Committee	388
Jan. 31	Notice of hearing (2/8)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1403. By Kiel, Smith, Suttle

Jan. 20	Read first time	354
Jan. 24	Referred to Education Committee	388
Jan. 31	Notice of hearing (2/22)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1404. By Bromm

Jan. 20	Read first time	355

Jan. 24	Referred to Transportation and Telecommunications Committee	388
Jan. 26	Notice of hearing (2/7)	444
Feb. 14	Placed on General File - Com AM2306	660
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1404A. By Bromm

Apr. 3	Read first time. Placed on General File	1530
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1405. By Hilgert, Aguilar, Baker, Brashear, Bruning, Byars, Coordsen, Cudaback, Dickey, Dierks, Engel, Hartnett, Hudkins, Jensen, Jones, Kremer, Dw. Pedersen, Preister, Quandahl, Redfield, Schmitt, Schrock, Smith, Stuhr, Tyson, Wehrbein

Jan. 20	Read first time	355
Jan. 24	Referred to Judiciary Committee	388
Jan. 25	Vrtiska and Crosby names added	425
Feb. 1	Hartnett priority bill. Robak name added	517
Feb. 9	Notice of hearing (2/23)	607
Mar. 9	Robak name withdrawn	998
Mar. 14	Brashear-Hilgert motion to place on General File printed	1053
Mar. 16	Brown AM2891 printed	1128
Mar. 21	Landis AM2939 printed	1161
Mar. 21	Kiel AM2940 and AM2938 printed	1162
Mar. 21	Bohlke AM2941 printed	1163
Mar. 21	Brashear-Hilgert pending motion p. 1053 to place on General File prevailed	1163
Mar. 27	Beutler AM3093 printed. Brashear AM3106 to AM2891 printed	1386
Mar. 27	Brashear AM3107 to AM2939, AM3108 to AM2940, and AM3109 to AM2938 printed	1387
Mar. 27	Brashear AM3110 to AM2941, AM3111 to AM3093, and AM3112 printed	1388
Mar. 28	Chambers motion to bracket until 4/12/2000 pending. Chambers FA348 to pending motion to bracket pending. Removed from agenda	1396
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1406. By Bohlke, Jensen, Suttle, Wehrbein

Jan. 20	Read first time	355
Jan. 24	Referred to Education Committee	388
Jan. 31	Notice of hearing (2/14)	502
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1407. By Appropriations Committee

Jan. 20	Read first time	355
Jan. 24	Referred to Health and Human Services Committee	388
Jan. 31	Notice of hearing (2/10)	502
Mar. 1	Placed on General File - Com AM2597	870
Mar. 14	Com AM2597 p. 870 pending	1074
Mar. 15	Com AM2597 p. 870 pending. Beutler AM2861 to Com AM2597 pending. Speaker ordered removal from agenda	1078
Mar. 15	Jensen unanimous consent to bracket until 4/11/2000. Chambers objected. Jensen motion to bracket until 4/11/2000 prevailed	1097
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1408. By Lynch, Schrock

Jan. 20	Read first time	355
Jan. 24	Referred to Health and Human Services Committee	388
Jan. 31	Notice of hearing (2/16)	502
Feb. 8	Notice of hearing (2/16) (cancel). Notice of hearing (2/24) (reschedule)	580
Feb. 28	Placed on General File	839
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1409. By Stuhr, Dierks, Jones

Jan. 20	Read first time	355
Jan. 24	Referred to Transportation and Telecommunications Committee	388
Jan. 26	Notice of hearing (2/22)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1410. By Wehrbein

Jan. 20	Read first time	356
Jan. 21	Schimek, Connealy, and Hartnett names added	384
Jan. 24	Referred to Government, Military and Veterans Affairs Committee	388
Jan. 24	Byars name added	412
Jan. 25	Dw. Pedersen name added	425
Jan. 26	Notice of hearing (2/2)	458
Jan. 28	Vrtiska name added	494
Feb. 7	Engel name added	572
Feb. 7	Placed on General File - Com AM2297	573
Feb. 22	Speaker priority bill	760
Mar. 30	Com AM2297 p. 573 adopted. Advanced for Review	1465

Apr. 3	Placed on Select File - AM7255	1494
Apr. 3	Chambers FA365 to AM7255 printed	1530
Apr. 4	Wehrbein AM3273 printed	1554
Apr. 6	AM7255 (E & R) p. 1494 adopted. Chambers pending FA365 p. 1530 and Wehrbein AM3273 p. 1554 adopted. Advanced for Engrossment	1638
Apr. 10	Correctly Engrossed	1655
Apr. 10	ER9160 change	1656
Apr. 12	Final Reading w/E 44-0-5	1766
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

(Provisions/portions of LB 1273 amended into LB 1410 by AM3273)

LEGISLATIVE BILL 1410A. By Wehrbein

Feb. 11	Read first time. Placed on General File	638
Mar. 30	Advanced for Review	1465
Apr. 3	Placed on Select File	1495
Apr. 5	Wehrbein AM3306 printed	1609
Apr. 6	Wehrbein pending AM3306 p. 1609 adopted. Advanced for Engrossment	1639
Apr. 10	Correctly Engrossed	1655
Apr. 12	Final Reading w/E 44-0-5	1767
Apr. 12	President signed	1770
Apr. 12	Presented to Governor (4/12)	1776
Apr. 17	Approved by Governor (4/13)	1788

LEGISLATIVE BILL 1411. By Wehrbein

Jan. 20	Read first time	356
Jan. 24	Referred to Revenue Committee	388
Jan. 25	Notice of hearing (2/10)	421
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1412. By Brashear

Jan. 20	Read first time	356
Jan. 24	Referred to Revenue Committee	388
Jan. 25	Notice of hearing (2/17)	421
Mar. 14	Indefinitely postponed	1066

LEGISLATIVE BILL 1413. By Brashear

Jan. 20	Read first time	356
Jan. 24	Referred to Judiciary Committee	388
Feb. 9	Notice of hearing (2/24)	607

Mar. 9	Placed on General File	977
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1414. By Quandahl

Jan. 20	Read first time	356
Jan. 24	Referred to Revenue Committee	388
Jan. 25	Notice of hearing (2/17)	421
Jan. 26	Aguilar and Hartnett names added	459
Jan. 28	Dw. Pedersen name added	493
Mar. 14	Indefinitely postponed	1067

LEGISLATIVE BILL 1415. By Quandahl

Jan. 20	Read first time	356
Jan. 24	Referred to Government, Military and Veterans Affairs Committee	388
Feb. 1	Notice of hearing (2/11)	513
Feb. 11	Attorney General's Opinion #00007 to Quandahl	648
Feb. 23	Indefinitely postponed	774

LEGISLATIVE BILL 1416. By Bromm, Byars, Jensen, Wehrbein

Jan. 20	Read first time	356
Jan. 24	Referred to Banking, Commerce and Insurance Committee	389
Jan. 31	Notice of hearing (2/8)	504
Feb. 24	Placed on General File - Com AM2509	783
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1416 amended into LB 1217 by AM2983)

LEGISLATIVE BILL 1417. By Jensen, Byars, Tyson

Jan. 20	Read first time	357
Jan. 24	Referred to Health and Human Services Committee	389
Jan. 25	Notice of hearing (2/9)	421
Jan. 25	Dw. Pedersen name added	425
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1418. By Wickersham

Jan. 20	Read first time	357
Jan. 24	Referred to Revenue Committee	389
Jan. 31	Notice of hearing (2/24)	505
Mar. 14	Indefinitely postponed	1067

LEGISLATIVE BILL 1419. By Bromm

Jan. 20	Read first time	357

Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 26	Notice of hearing (2/8)	444
Feb. 17	Placed on General File - Com AM2409	740
Apr. 12	Indefinitely postponed	1785

(Provisions/portions of LB 1419 amended into LB 1018 by AM2488)

LEGISLATIVE BILL 1420. By Bromm, Janssen, Jones, Stuhr, at the request of the Governor

Jan. 20	Read first time	357
Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 26	Notice of hearing (2/15)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1421. By Bromm, Dierks, Jones

Jan. 20	Read first time	357
Jan. 21	Cudaback name added	384
Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 26	Notice of hearing (2/14)	445
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1422. By Bruning

Jan. 20	Read first time	357
Jan. 24	Referred to Judiciary Committee	389
Jan. 31	Redfield name added	506
Feb. 8	Notice of hearing (2/16)	580
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1423. By Dw. Pedersen

Jan. 20	Read first time	357
Jan. 24	Referred to General Affairs Committee	389
Jan. 27	Notice of hearing (2/14)	468
Feb. 28	Placed on General File	826
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1424. By Preister, Bourne, Connealy, Dierks, Hilgert, Redfield

Jan. 20	Read first time	358
Jan. 24	Referred to Business and Labor Committee	389
Jan. 28	Notice of hearing (2/7)	489
Feb. 8	Placed on General File	587
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1425. By Tyson, Bohlke, Dierks, Engel, Janssen, Jensen, Jones, Lynch, Quandahl, Robak, Schmitt

Jan. 20	Read first time	358
Jan. 24	Referred to Appropriations Committee. Tyson priority bill	389
Jan. 25	Connealy name added	425
Jan. 27	Notice of hearing (2/11)	467
Mar. 7	Indefinitely postponed	900

LEGISLATIVE BILL 1426. By Tyson, Aguilar, Beutler, Bohlke, Dierks, Engel, Janssen, Jensen, Lynch, Preister, Quandahl, Robak, Schmitt

Jan. 20	Read first time	358
Jan. 24	Referred to Natural Resources Committee	389
Jan. 25	Notice of hearing (2/9)	420
Feb. 11	Attorney General's Opinion #00008 to Tyson	652
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1427. By Jensen, Beutler, Byars, Price, Tyson

Jan. 20	Read first time	358
Jan. 24	Referred to Health and Human Services Committee	389
Jan. 25	Notice of hearing (2/9)	421
Mar. 7	Placed on General File - Com AM2662 (printed separate)	935
Mar. 15	Com AM2662 (printed separate) adopted. Advanced for Review	1083
Mar. 16	Placed on Select File - AM7238	1122
Mar. 21	AM7238 (E & R) p. 1122 adopted. Beutler AM2954 to Com AM2662 adopted. Advanced for Engrossment	1194
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading 45-0-4	1277
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 29	Approved by Governor (3/29)	1420

(Provisions/portions of LB 1153 amended into LB 1427 by AM2954)

LEGISLATIVE BILL 1427A. By Jensen

Mar. 15	Read first time. Placed on General File	1084
Mar. 21	Advanced for Review	1156
Mar. 21	Placed on Select File	1167
Mar. 21	Advanced for Engrossment	1194
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading 44-0-5	1278

Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 29	Approved by Governor (3/29)	1420

LEGISLATIVE BILL 1428. By Raikes, Beutler, Schimek

Jan. 20	Read first time	358
Jan. 24	Referred to Revenue Committee	389
Jan. 31	Notice of hearing (2/24)	505
Mar. 14	Indefinitely postponed	1067

LEGISLATIVE BILL 1429. By Raikes, Beutler, Schimek

Jan. 20	Read first time	359
Jan. 24	Referred to Revenue Committee	389
Jan. 31	Notice of hearing (2/24)	505
Mar. 14	Indefinitely postponed	1067

LEGISLATIVE BILL 1430. By Raikes, Wickersham

Jan. 20	Read first time	359
Jan. 24	Referred to Revenue Committee	389
Jan. 24	Notice of hearing (2/9)	412
Feb. 11	Placed on General File	641
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1431. By Matzke, Wickersham

Jan. 20	Read first time	359
Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 26	Notice of hearing (2/8)	444
Feb. 14	Placed on General File	659
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1432. By Agriculture Committee, Coordsen, Wehrbein

Jan. 20	Read first time	361
Jan. 24	Referred to Agriculture Committee	389
Jan. 28	Notice of hearing (2/15)	493
Feb. 22	Agriculture Committee priority bill	751
Mar. 10	Placed on General File - Com AM2713	1017
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1433. By Engel

Jan. 20	Read first time	361

Jan. 24	Referred to Education Committee	389
Jan. 31	Notice of hearing (2/15)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1434. By Robak

Jan. 20	Read first time	361
Jan. 24	Referred to Natural Resources Committee	389
Jan. 26	Notice of hearing (2/11)	443
Mar. 28	Indefinitely postponed	1396

LEGISLATIVE BILL 1435. By Dw. Pedersen

Jan. 20	Read first time	361
Jan. 24	Referred to Judiciary Committee	389
Feb. 2	Notice of hearing (2/10)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1436. By Bohlke, Aguilar, Baker, Bourne, Brashear, Bromm, Brown, Bruning, Chambers, Connealy, Coordsen, Engel, Hartnett, Hilgert, Hudkins, Janssen, Jones, Kiel, Kremer, Kristensen, Landis, Lynch, Dw. Pedersen, D. Pederson, Preister, Price, Quandahl, Raikes, Redfield, Robak, Schmitt, Schrock, Smith, Stuhr, Suttle, Tyson, Wehrbein, Wickersham

Jan. 20	Read first time	361
Jan. 24	Referred to Education Committee	389
Jan. 31	Notice of hearing (2/8)	502
Feb. 1	Bohlke priority bill	510
Feb. 11	Placed on General File - Com AM2365	637
Feb. 16	Com AM2365 p. 637 pending. Vrtiska name added	717
Feb. 17	Com AM2365 p. 637 pending	739
Feb. 17	Chambers motion to bracket until 2/22/2000 withdrawn. Com AM2365 p. 637 adopted. Jensen-Byars AM2458 ruled not germane. Advanced for Review	740
Feb. 22	Placed on Select File - AM7202	761
Feb. 23	Landis AM2500 to AM7202 printed	770
Mar. 16	AM7202 (E & R) p. 761 adopted. Landis AM2500 p. 770 withdrawn. Jensen-Bohlke AM2914 to AM7202 adopted as amended by Jensen FA334. Advanced for Engrossment	1129
Mar. 21	Correctly Engrossed	1185
Mar. 21	ER9133 change	1186
Mar. 24	Final Reading w/E 45-0-4	1283
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292

Mar. 27	Bromm explanation of vote	1350
Mar. 29	Approved by Governor (3/29)	1420

(Provisions/portions of LB 505 amended into LB 1436 by AM2914)

LEGISLATIVE BILL 1436A. By Bohlke

Feb. 23	Read first time. Placed on General File	776
Feb. 25	Advanced for Review	807
Feb. 28	Placed on Select File	818
Mar. 16	Bohlke AM2920 adopted. Advanced for Engrossment	1134
Mar. 21	Correctly Engrossed	1185
Mar. 24	Final Reading w/E 45-0-4	1284
Mar. 24	President signed	1285
Mar. 24	Presented to Governor (3/24)	1292
Mar. 27	Bromm explanation of vote	1350
Mar. 29	Approved by Governor (3/29)	1420

LEGISLATIVE BILL 1437. By Jones, Aguilar, Bruning, Dickey, Hudkins, Kremer, Schmitt, Schrock, Tyson, Wehrbein

Jan. 20	Read first time	362
Jan. 24	Referred to Banking, Commerce and Insurance Committee	389
Jan. 28	Schmitt name withdrawn	494
Jan. 31	Notice of hearing (2/14)	504
Feb. 7	Hudkins name withdrawn	572
Feb. 14	Attorney General's Opinion #00009 to Dierks	661
Feb. 17	Indefinitely postponed	720

LEGISLATIVE BILL 1438. By Jones, Baker, Bromm, Cudaback, Dickey, Dierks, Hudkins, Janssen, Kremer, Robak, Schrock, Smith, Stuhr, Tyson

Jan. 20	Read first time	362
Jan. 24	Referred to Revenue Committee	389
Jan. 31	Notice of hearing (2/23)	505
Feb. 28	Indefinitely postponed	819

LEGISLATIVE BILL 1439. By Quandahl

Jan. 20	Read first time	362
Jan. 24	Referred to Education Committee	389
Jan. 25	Notice of hearing (2/1)	415
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1440. By Kiel, Price

Jan. 20	Read first time	362

Jan. 24	Referred to Banking, Commerce and Insurance Committee	389
Jan. 31	Notice of hearing (2/22)	504
Feb. 25	Indefinitely postponed	805

(Provisions/portions of LB 1440 amended into LB 932 by AM3130)

LEGISLATIVE BILL 1441. By Crosby

Jan. 20	Read first time	362
Jan. 24	Referred to Education Committee	389
Jan. 31	Notice of hearing (2/22)	503
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1442. By Kiel, Beutler, Chambers, Connealy, Dierks, Landis, Price, Raikes, Redfield, Smith, Tyson

Jan. 20	Read first time	362
Jan. 24	Referred to Banking, Commerce and Insurance Committee	389
Jan. 31	Notice of hearing (2/22)	504
Feb. 25	Indefinitely postponed	805

LEGISLATIVE BILL 1443. By Kiel, Price

Jan. 20	Read first time	363
Jan. 24	Referred to Business and Labor Committee	389
Feb. 2	Notice of hearing (2/14)	523
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1444. By Schrock, Connealy, Cudaback, Dierks, Jones, Price, Robak, Smith

Jan. 20	Read first time	363
Jan. 24	Referred to Revenue Committee	389
Feb. 1	Notice of hearing (2/29)	513
Mar. 7	Indefinitely postponed	896

LEGISLATIVE BILL 1445. By Bromm, Baker, Byars, Hudkins, Jones, Dw. Pedersen, Robak, Wehrbein, Wickersham

Jan. 20	Read first time	363
Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 28	Rereferred to joint committees - Transportation and Telecommunications Committee and Revenue Committee	493
Jan. 31	Notice of hearing (2/28)	505
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1446. By Bromm

Jan. 20	Read first time	367
Jan. 24	Referred to Transportation and Telecommunications Committee	389
Jan. 26	Notice of hearing (2/7)	444
Feb. 14	Indefinitely postponed	660

LEGISLATIVE BILL 1447. By Lynch

Jan. 20	Read first time	368
Jan. 24	Referred to Education Committee	389
Jan. 25	Notice of hearing (2/1)	415
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE BILL 1448. By Business and Labor Committee

Feb. 8	Vrtiska motion to permit introduction of new bill printed	581
Feb. 9	Vrtiska pending motion p. 581 to permit introduction of new bill prevailed	600
Feb. 9	Read first time	601
Feb. 9	Referred to Business and Labor Committee. Notice of hearing (2/17)	607
Feb. 23	Placed on General File - Com AM2511	777
Mar. 7	D. Pederson AM2659 printed	920
Mar. 15	Com AM2511 p. 777 adopted as amended by Vrtiska AM2865. D. Pederson pending AM2659 p. 920 adopted. Advanced for Review	1083
Mar. 16	Placed on Select File - AM7236	1123
Mar. 21	AM7236 (E & R) p. 1123 adopted. Vrtiska AM2949 to AM7236 adopted. Advanced for Engrossment	1168
Mar. 22	Correctly Engrossed	1213
Mar. 24	Final Reading w/E 46-0-3	1269
Mar. 24	President signed	1276
Mar. 24	Presented to Governor (3/24)	1288
Mar. 27	Bromm explanation of vote	1350
Mar. 30	Approved by Governor (3/30)	1467

LEGISLATIVE BILL 1449. By Business and Labor Committee

Feb. 8	Vrtiska motion to permit introduction of new bill printed	581
Feb. 9	Vrtiska pending motion p. 581 to permit introduction of new bill prevailed	600
Feb. 9	Read first time	601
Feb. 9	Referred to Business and Labor Committee. Notice of hearing (2/17)	607
Feb. 23	Indefinitely postponed	774

CHRONOLOGY OF CONSTITUTIONAL AMENDMENT RESOLUTIONS

NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

LEGISLATIVE RESOLUTION 1CA. By Coordsen

Jan. 5	Title	63
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 2CA. By Landis

Jan. 5	Title	63
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 3. By Brown, Jensen

Jan. 5	Title	64
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 4CA. By Kristensen, Coordsen

Jan. 5	Title	64
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 5CA. By Kristensen, Coordsen

Jan. 5	Title	65
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 6CA. By Kristensen, Beutler, Brown, Coordsen, Hudkins, Thompson

Jan. 5	Title	66
Jan. 19	Advanced for Review	319
Jan. 21	Placed on Select File - AM7164	376
Jan. 26	AM7164 (E & R) p. 376 adopted. Advanced for Engrossment	442
Jan. 27	Correctly Engrossed	473
Mar. 30	Kristensen AM3207 printed	1475
Apr. 6	Returned to Select File for Kristensen specific AM3207 p. 1475. Kristensen specific AM3207 p. 1475 adopted. Advanced for Reengrossment	1623
Apr. 6	Correctly Reengrossed	1644
Apr. 6	ER9154 change	1646
Apr. 11	Final Reading for general election 43-2-4	1723

Apr. 11	President signed	1724
Apr. 11	Presented to Secretary of State (4/11)	1727

LEGISLATIVE RESOLUTION 8CA. By Beutler

Jan. 5	Title	67
Feb. 1	Indefinitely postponed	513

LEGISLATIVE RESOLUTION 9CA. By Beutler

Jan. 5	Title	69
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 13CA. By Kristensen

Jan. 5	Title	71
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 20CA. By Stuhr

Jan. 5	Title	72
Feb. 8	Advanced for Review	579
Feb. 9	Placed on Select File - AM7189	613
Feb. 24	AM7189 (E & R) p. 613 adopted. Advanced for Engrossment	785
Feb. 28	Correctly Engrossed. ER9118 change	840
Mar. 1	Stuhr AM2570 printed	863
Mar. 8	Returned to Select File for Stuhr specific AM2570 p. 863. Stuhr specific AM2570 p. 863 adopted. Advanced for Reengrossment	938
Mar. 8	Correctly Reengrossed	941
Mar. 9	Stuhr motion to suspend rules to permit consideration on Final Reading prevailed. Final Reading for primary election 48-0-1	971
Mar. 9	Speaker signed	973
Mar. 9	Presented to Secretary of State (3/9)	976

LEGISLATIVE RESOLUTION 21CA. By Hartnett

Jan. 5	Title	72
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 23CA. By Kristensen, Chambers

Jan. 5	Title	73
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 287CA. By Jones, Schmitt

Jan. 6	Read first time. Referred to Reference Committee	164

Jan. 10	Referred to Executive Board	206
Jan. 12	Rereferred to Government, Military and Veterans Affairs Committee	247
Feb. 1	Notice of hearing (2/11)	513
Feb. 23	Placed on General File	774
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 289CA. By Schimek, Janssen, Bohlke, Bourne, Connealy, Cudaback, Hilgert, Lynch, Robak, Schmitt, Crosby

Jan. 10	Read first time. Referred to Reference Committee	199
Jan. 12	Referred to General Affairs Committee	249
Jan. 12	Notice of hearing (1/24)	268
Jan. 24	Crosby name added	412
Jan. 27	Schimek priority resolution	472
Feb. 25	Schimek-Janssen motion to place on General File printed	808
Mar. 1	Schimek-Janssen pending motion p. 808 to place on General File failed. Indefinitely postponed	863

LEGISLATIVE RESOLUTION 291CA. By Brashear, Beutler, Bourne, Bromm, Bruning, Hilgert, Landis, Matzke, D. Pederson, Quandahl, Wickersham

Jan. 10	Read first time. Referred to Reference Committee	201
Jan. 12	Referred to Judiciary Committee	249
Jan. 26	Notice of hearing (2/2)	444
Feb. 3	Placed on General File - Com AM2231	551
Feb. 9	Brashear priority resolution	605
Feb. 28	Com AM2231 p. 551 adopted	819
Feb. 28	Chambers motion to indefinitely postpone withdrawn. Advanced for Review	821
Feb. 29	Placed on Select File	851
Mar. 7	Advanced for Engrossment	922
Mar. 9	Correctly Engrossed	970
Mar. 16	Final Reading for general election 43-1-5	1109
Mar. 16	Speaker signed	1115
Mar. 16	Presented to Secretary of State (3/16)	1129

LEGISLATIVE RESOLUTION 293CA. By Wehrbein, Vrtiska

Jan. 10	Read first time. Referred to Reference Committee	210
Jan. 12	Referred to Revenue Committee	249
Feb. 2	Notice of hearing (3/2)	521
Mar. 14	Indefinitely postponed	1067

LEGISLATIVE RESOLUTION 294CA. By Kristensen

Jan. 12	Read first time. Referred to Reference Committee	261
Jan. 19	Referred to Government, Military and Veterans Affairs Committee	319
Jan. 27	Notice of hearing (2/3)	471
Feb. 14	Placed on General File	675
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 295. By Wickersham

Jan. 18	Read first time. Laid over	303
Jan. 18	Referred to Reference Committee	304
Jan. 20	Correction	343
Jan. 20	Referred to Natural Resources Committee	344
Jan. 25	Notice of hearing (2/2)	420
Feb. 3	Reported to the Legislature for further consideration	551
Feb. 8	Adopted with 28-0-21	578
Feb. 9	President signed	600

LEGISLATIVE RESOLUTION 296. By Wehrbein

Jan. 18	Read first time. Laid over	306
Jan. 18	Referred to Reference Committee	307
Jan. 20	Correction	343
Jan. 20	Referred to Natural Resources Committee	344
Jan. 25	Notice of hearing (2/2)	420
Feb. 3	Reported to the Legislature for further consideration	551
Feb. 8	Adopted with 31-0-18	578
Feb. 9	President signed	600

LEGISLATIVE RESOLUTION 298. By Preister, Brown, Price, Beutler, Connealy, Kiel, Schimek, Hilgert, Lynch, Hartnett, Suttle, Bourne, Wehrbein

Jan. 19	Read first time. Laid over	331
Jan. 19	Referred to Reference Committee	333
Jan. 21	Referred to Government, Military and Veterans Affairs Committee	371
Feb. 1	Notice of hearing (2/11)	513
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 299. By Engel, Bromm, D. Pederson

Jan. 19	Read first time. Referred to Reference Committee	331
Jan. 21	Referred to Revenue Committee	371
Jan. 31	Notice of hearing (2/23)	505
Feb. 28	Indefinitely postponed	819

LEGISLATIVE RESOLUTION 300. By Jones

Jan. 27	Read first time. Laid over	472
Jan. 27	Referred to Reference Committee	473
Jan. 28	Referred to Natural Resources Committee	493
Jan. 31	Notice of hearing (2/16)	505
Feb. 22	Reported to Legislature for further consideration	757
Mar. 24	Adopted with 30-0-19	1286
Mar. 27	President signed	1312

LEGISLATIVE RESOLUTION 304. By Jones

Feb. 23	Read first time. Laid over	768
Feb. 23	Referred to Reference Committee	769
Feb. 24	Referred to Natural Resources Committee	795
Feb. 29	Notice of hearing (3/8)	849
Mar. 7	Schrock motion to suspend rules to permit cancellation of hearing prevailed. Notice of hearing (3/8) (cancel). Notice of hearing (3/15) (reschedule)	899
Mar. 15	Reported to Legislature for further consideration	1099
Mar. 24	Adopted with 31-0-18	1286
Mar. 27	President signed	1312

LEGISLATIVE RESOLUTION 320. By Suttle

Mar. 13	Read first time. Laid over	1030
Mar. 13	Referred to Reference Committee	1031
Mar. 15	Referred to Executive Board	1077
Mar. 15	Notice of hearing (3/23)	1095
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 437. By Kiel

Mar. 27	Read first time. Laid over	1354
Mar. 29	Referred to Reference Committee	1438
Mar. 30	Referred to Judiciary Committee	1444
Apr. 3	Tyson AM3195 printed	1480
Apr. 12	Indefinitely postponed	1785

LEGISLATIVE RESOLUTION 438. By Kiel

Mar. 27	Read first time. Laid over	1354
Mar. 28	Referred to Reference Committee	1403
Mar. 29	Referred to Transportation and Telecommunications Committee	1420
Mar. 30	Notice of hearing (4/6)	1464
Apr. 12	Indefinitely postponed	1785

INTRODUCERS OF BILLS AND RESOLUTIONS REFERRED TO COMMITTEE

NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

RAY AGUILAR

LB	
919*	Provide income tax adjustments for pensions and other distributions, dividends, and interest.
936***	Adopt the Rural Economic Opportunities Act.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.
1018*	Change provisions relating to motor vehicle industry licensing.
1083*	Adopt the Nebraska Cares Act.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1101A	Appropriation Bill.
1102*	Change drug paraphernalia provisions.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1244*	Change emission fee provisions under the Environmental Protection Act.
1253*	Change provisions relating to insurance.
1258	Change a funding limitation under the Local Option Municipal Economic Development Act.
1331*	Require covering certain wastewater treatment lagoons.
1339*	Create a task force to study Nebraska property taxation.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1405*	Adopt the Fetal Tissue Research Act.
1414*	Provide for a tax credit for donations to public schools.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.

TOM BAKER

LB	
183*	Adopt the Liquified Petroleum Gas Tax Act.

274*	Change provisions relating to the organization of agricultural business entities.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
410*	Change provisions relating to child passenger restraints.
419*	Change provisions relating to valuation of farm sites.
423*	Provide immunity in actions relating to job references.
481*	Transfer certain attorneys to the Department of Justice.
482***	Provide payments to adoptive parents of state wards.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
612*	Change child support guideline provisions.
613	Change criminal history record information and criminal identification provisions.
651*	Require the Supreme Court to pay security costs.
791*	Change fund use provisions under the State Lottery Act.
830*	Eliminate an art work requirement for public buildings.
922*	Provide additional district court and juvenile court judgeships.
936***	Adopt the Rural Economic Opportunities Act.
939	Change provisions relating to water well decommissioning.
940	Provide for notification to a school district of certain adjudications.
949*	Eliminate agricultural and horticultural land valuation boards and land manual areas.
965*	Provide mental health services to inmates in jails and detention centers.
982*	Change provisions relating to cemetery care and maintenance expenses.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1017*	Change provisions for valuation of agricultural and horticultural land.
1035*	Change tobacco product provisions and penalties.
1054*	Change membership requirements for the Board of Educational Lands and Funds.
1069*	Change provisions relating to irrigation and cost-share assistance.
1093*	Create the offense of theft of video rental property.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1124*	Create the Greenbelt Advisory Committee.

1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1146*	Change Nebraska Rules of the Road with respect to weight and length provisions.
1150*	Change State Lottery Act provisions relating to transfers of funds, lottery game retailer compensation, and expense reports.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1222*	Adopt the Value-Added Partnerships Act.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1291*	Change provisions relating to abortion.
1305*	Provide for state funding of community colleges.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1352*	Create a public assistance task force and eliminate trust provisions.
1405*	Adopt the Fetal Tissue Research Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

CHRIS BEUTLER

LB	
182*	Adopt the Student Freedom of Expression Act.
233	Rename the Nebraska Educational Telecommunications Building.
305	Provide for transfer-on-death-deeds.
389*	Provide oxygenated gasoline sale requirements.
414	Transition the office of clerk of the district court to a state reimbursed position.
414A	Appropriation Bill.
427	Prohibit certain telephone solicitations.
427A	Appropriation Bill.
459	Provide for a covenant not to sue under the Petroleum Products and Hazardous Substances Storage and Handling Act.

467*	Adopt the Habitual Sex Offender Act.
480*	Create the Women's Health Initiative of Nebraska.
607*	Adopt the Neighborhood Development Act.
614*	Change product liability provisions.
615	Create the Court-Ordered Settlement Trust Fund.
747	Adopt the Nebraska Protected Rivers Act.
824	Change and eliminate provisions for appeals from county court and Small Claims Court.
910*	Provide for Honorably Discharged Veteran license plates.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
956*	Change provisions relating to the salaries of state constitutional officers.
966*	Change provisions relating to deeds of distribution relating to decedents' estates.
972*	Implement child support payments through the State Disbursement Unit.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
989*	Change provisions relating to criminal procedure and arraignment.
990*	Exempt certain deeds and trust deeds from the documentary stamp tax.
1040*	Provide for a comprehensive study of water quality monitoring.
1041	Change provisions relating to the commercial fertilizer fee.
1050*	Regulate certain telephone solicitations.
1098*	Allow issuance of bonds under the Municipal Infrastructure Redevelopment Fund Act.
1116*	Authorize biennial budgeting for cities of the metropolitan and primary classes.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1147*	Provide for Nebraska Natural Heritage License Plates.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1152*	Create the Nebraska Game and Parks Millennium Trust Fund and the Nebraska Game and Parks Millenium Cash Fund.
1153	Change provisions for use of the Excellence in Health Care Trust Fund.
1154	Change provisions for issuance of bonds by railroad transportation safety districts.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1222*	Adopt the Value-Added Partnerships Act.

1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1242*	Appropriate funds for Centennial Mall improvements.
1259*	Appropriate funds for certain agreements under the Interlocal Cooperation Act.
1263	Change state aid to political subdivisions.
1288	Change political accountability and disclosure provisions relating to committee treasurers, bonds, and fines.
1366	Provide for a digital voice newspaper delivery system.
1379	Change provisions of a minority scholarship program.
1379A	Appropriation Bill.
1380	Change provisions relating to eminent domain and school district takings.
1381	Create the Niobrara Council and eliminate the Niobrara Scenic River Local Management Council.
1381A	Appropriation Bill.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1427*	Change provisions of the Nebraska Health Care Trust Fund Act.
1428*	Change assessment provisions under the Business Improvement District Act.
1429*	Change provisions for assessments and taxes under the Business Improvement District Act.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.

LR

6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.
8CA	Constitutional amendment to provide for legislative consideration of measures proposed by initiative petitions.
9CA	Constitutional amendment to create the Compensation Review Commission and provide for adoption of a legislative code of ethics.
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

ARDYCE BOHLKE

LB

98*	Change provisions relating to grandparent visitation.

182*	Adopt the Student Freedom of Expression Act.
338*	Create the Water Conservation and Banking Act of 1999.
361	Change provisions relating to revocation and suspension of operators' licenses.
385	Create the Educational Voucher Program.
387	Provide for a facility factor in determining state aid to schools.
388	Change provisions relating to option students and the transfer of land between school districts.
415	Change school admission requirements.
419*	Change provisions relating to valuation of farm sites.
495*	Adopt the Education and Career Preparation Act.
495A*	Appropriation Bill.
540	Change provisions for reserve increases and state aid to schools.
541	Change provisions relating to community colleges.
544	Change provisions of the Special Education Act.
545	Change provisions of the School Employees Retirement Act.
546	Change provisions for size, weight, and load for farm trucks.
564*	Provide for transfer of land in cases of school district consolidation.
653*	Adopt the Nebraska Youth Mentoring Act.
715*	Change provisions relating to state aid to schools.
727*	Create a task force to examine teacher and administrator issues.
811	Change provisions of the school enrollment option program.
812*	Require academic standards and provide for assessment and reporting of student learning.
812A	Appropriation Bill.
818*	Provide criminal history record information checks on child and certain adult care providers.
856*	Change foster care investigation provisions.
857*	Change provisions for children in foster care and wards of the state.
956*	Change provisions relating to the salaries of state constitutional officers.
965*	Provide mental health services to inmates in jails and detention centers.
1010*	Change procedures relating to appraisal and sale of educational land.
1046*	Require payment of interest on recaptured tax credits and incentives.
1106*	Change provisions relating to partisan ballots at primary elections.
1107*	Change the calculation of the local effort rate relating to school finance.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.

1149*	Repeal a limitation on applications under the Quality Jobs Act.
1161*	Change the Tax Equity and Educational Opportunities Support Act.
1161A	Appropriation Bill.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1169*	Create the Educational Units of Efficiency Task Force.
1198*	Change membership provisions for boards of public works.
1210*	Adopt the Program for Assertive Community Treatment Act.
1211*	Create the Task Force on Dental Services.
1222*	Adopt the Value-Added Partnerships Act.
1224*	Appropriate funds to the Nebraska Library Commission.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1226*	Create the Master Teacher Program.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1228*	Establish the Minnie Freeman Scholarship for Excellence in Teaching Program.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1236	Change provisions relating to incentive payments under the Quality Education Accountability Act.
1237	Change a penalty relating to use of child passenger restraint and occupant protection systems.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1243A	Appropriation Bill.
1244*	Change emission fee provisions under the Environmental Protection Act.
1252*	Adopt the Nebraska Schools Construction Alternatives Act.
1253*	Change provisions relating to insurance.
1270	Exempt meals-on-wheels services from sales tax.
1274*	Provide for at-home infant child care assistance.
1276*	Change property tax exemption provisions.
1290	Change provisions for attendance of certain high school students at out-of-state schools.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1331*	Require covering certain wastewater treatment lagoons.
1335*	Provide funding for high-needs special education students.
1336*	Change early childhood education pilot projects and programs.
1339*	Create a task force to study Nebraska property taxation.
1352*	Create a public assistance task force and eliminate trust provisions.
1358	Change homestead exemption disability provisions.

1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1397	Adopt the Quality Professional Educators Act.
1398	Require in-kind contributions as part of agreements under the Employment and Investment Growth Act.
1399*	Provide for a salary study for teachers, for bonuses for certain teachers, and authorize student loan forgiveness for teachers, and provide duties for a volunteer service commission.
1399A	Appropriation Bill.
1400	Provide for minimum teacher salary levels and teacher salary supplements.
1401	Change and eliminate provisions relating to schools.
1401A	Appropriation Bill.
1402	Require uniform prescription drug information cards for certain insurance coverage.
1406*	Provide for special-purpose education programs.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1436A	Appropriation Bill.

LR

289CA*	Constitutional amendment to permit gaming on Indian lands.

PATRICK J. BOURNE

LB

274*	Change provisions relating to the organization of agricultural business entities.
344*	Rename the Department of Roads.
352*	Adopt the Commission for the Blind and Visually Impaired Act and change and eliminate services for disabled persons.
593*	Provide for a driver's safety training program as pretrial diversion.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
718*	Place a moratorium on certain personal service contracts where a state agency is a party.
734*	Change public defender compensation provisions.
830*	Eliminate an art work requirement for public buildings.
848*	Provide income tax adjustments for certain pension income.
908*	Transfer the Office of Probation Administration from the Supreme Court to the Department of Correctional Services.
936***	Adopt the Rural Economic Opportunities Act.

965*	Provide mental health services to inmates in jails and detention centers.
989*	Change provisions relating to criminal procedure and arraignment.
1024*	Change the sales and use tax rate.
1030*	Create the offense of identity theft.
1059*	Create the offense of ticket scalping.
1060	Change provisions relating to underinsured motorist coverage.
1061*	Redefine household income for homestead exemption purposes.
1062	Provide an exemption from the Nebraska Real Estate License Act.
1063*	Change an application date for homestead exemptions.
1120	Adopt the Home Inspection Professional Licensing Act.
1121	Change provisions for enrollment dates, preexisting conditions, and waiting periods in insurance plans.
1122	Change eminent domain procedures and provide an exemption for certain sanitary and improvement districts.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1266	Provide for environmental contaminant abatement assistance and limitations.
1269*	Change provisions relating to Nebraska Workers' Compensation Court judges.
1293*	Provide an exception to budget and levy limits for educational service units.
1296*	Implement child support payments through the State Disbursement Unit and create a commission and unit.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1339*	Create a task force to study Nebraska property taxation.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1386*	Adopt the Peace Officer Employer-Employee Relations Act.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.

1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

KERMIT A. BRASHEAR

LB	
39*	Change provisions relating to theft.
42	Change provisions relating to county court jurisdiction.
44*	Provide penalties for criminal attempt and require a report by law enforcement agencies.
45	Change provisions relating to preliminary hearings.
52*	Change the method of inflicting the death penalty.
55	Provide for commencement of a new action after failure of an action and expiration of applicable statute of limitations.
160*	Limit governmental liability for damages relating to electronic computing devices.
316	Adopt the Post-Mortem Examinations Act and eliminate the office of county coroner.
321	Establish the Office of Community Justice.
457*	Provide for reimbursement from the state for certain election costs.
495*	Adopt the Education and Career Preparation Act.
508*	Adopt the Taxpayer Protection Spending Lid Act.
624	Provide for law enforcement training regarding persons with disabilities.
625	Limit access to certain inheritance tax court records and information.
626	Adopt the Trademark Registration Act and change provisions relating to damages for willful trespass.
627	Prohibit certain acts relating to real estate referral fees.
628*	Require provision of copies of public records at actual cost and recognize electronic transactions and communications.
830*	Eliminate an art work requirement for public buildings.
836	Change provisions relating to income tax, sales tax, and homestead exemption.
837*	Change provisions relating to the Child Pornography Prevention Act.
838*	Change provisions relating to tobacco licenses and distribution of tobacco to minors.
840	Change the amount recoverable under the Nebraska Hospital-Medical Liability Act.
920	Eliminate certain provisions relating to trusts and public assistance.

921	Change provisions relating to court procedure.
936***	Adopt the Rural Economic Opportunities Act.
965*	Provide mental health services to inmates in jails and detention centers.
966*	Change provisions relating to deeds of distribution relating to decedents' estates.
989*	Change provisions relating to criminal procedure and arraignment.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1008*	Authorize funding for, access to, and judicial notice of specified criminal justice reports.
1013	Change the limitations period for certain civil actions.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1201	Change provisions relating to burglary.
1202	Change provisions and penalties relating to criminal mischief.
1203	Change provisions relating to alibi and character evidence under the rules of evidence.
1204	Change provisions relating to court procedure.
1205	Change limitation of action provisions in the Political Subdivision Tort Claims Act.
1229*	Change provisions relating to garnishment of wages.
1339*	Create a task force to study Nebraska property taxation.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1412	Change a statute of limitations for income tax credits and refunds relating to overpayments.
1413	Change provisions relating to offenses against animals.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.

CURT BROMM

LB	
29*	Provide for issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies.
98*	Change provisions relating to grandparent visitation.
116*	State intent and define terms relating to electric utilities.
126*	Change provisions relating to minors in possession of alcohol.
160*	Limit governmental liability for damages relating to electronic computing devices.
185***	Change provisions relating to actions brought by prisoners.
186***	Change provisions relating to postconviction proceedings.
188*	Change provisions relating to revocation, suspension, impoundment, cancellation and reinstatement of driver's licenses, registration and operating privileges.
230	Change induction eligibility requirements for the Nebraska Hall of Fame.
235*	Lower the required concentration of alcohol for DWI conviction.
282*	Change political subdivision and state immunity provisions relating to government computer systems.
288*	Change eligibility provisions for incarceration work camps.
337*	Change and eliminate provisions relating to the testing and sale of tractors.
344*	Rename the Department of Roads.
349	Change the boundary line between Butler County and Platte County.
423*	Provide immunity in actions relating to job references.
457*	Provide for reimbursement from the state for certain election costs.
495*	Adopt the Education and Career Preparation Act.
503	Adopt the Public Funds Deposit and Investment Regulation Act.
515*	Change redistricting procedures and create an advisory commission.
516*	Change penalty provisions for possession of marijuana.
583	Eliminate enforcement of seat belt violations as secondary actions.
584	Provide for impoundment of operator's licenses, registration, and license plates for violations of financial responsibility requirements.
586	Change provisions relating to consumption of alcohol in a motor vehicle.
587	Change powers and duties of officers of the State Patrol and carrier enforcement officers.
590*	Change provisions relating to the Municipal Natural Gas Regulation Act.

591*	Provide exceptions to governmental tort liability relating to traffic control devices.
641*	Change provisions relating to historical vehicles.
651*	Require the Supreme Court to pay security costs.
686*	Change provisions relating to speed limits.
705	Change provisions for obtaining access to isolated land.
707	Enumerate regulatory and enforcement powers and duties of the Public Service Commission.
830*	Eliminate an art work requirement for public buildings.
833*	Change provisions relating to veterinarians and veterinary medicine.
834*	Prohibit mislabeled meat or poultry as prescribed.
867*	Provide duties for the Department of Correctional Services.
936***	Adopt the Rural Economic Opportunities Act.
950*	Adopt the Infant Hearing Act.
966*	Change provisions relating to deeds of distribution relating to decedents' estates.
989*	Change provisions relating to criminal procedure and arraignment.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1017*	Change provisions for valuation of agricultural and horticultural land.
1019	Change powers and duties of the Director of Motor Vehicles.
1021*	Change provisions relating to filings, gifts, statements, and reports under the Political Accountability and Disclosure Act.
1044*	Change agricultural land valuation provisions under the Tax Equity and Educational Opportunities Support Act.
1056*	Change provisions relating to audits of Class I school districts.
1077A	Appropriation Bill.
1097*	Change cramming provisions for telecommunications companies.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1151*	Appropriate funds to the Nebraska Natural Resources Commission for critical erosion or water quality areas.
1197	Authorize trustees to provide certifications of trust.

1207*	Provide authority for self-insurance of health benefit programs for the state colleges.
1222*	Adopt the Value-Added Partnerships Act.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1238*	Eliminate bond requirements for certain cities and villages.
1239	Change contractor liability provisions with respect to state highways.
1240	Change the effective date of orders by the Public Service Commission during the pending of an appeal.
1249	Change provisions relating to size, weight, and load under the Nebraska Rules of the Road.
1250	Assure insurance coverage of prostate and colorectal cancer screenings.
1269*	Change provisions relating to Nebraska Workers' Compensation Court judges.
1287*	Authorize and regulate low-speed vehicles under the Nebraska Rules of the Road.
1305*	Provide for state funding of community colleges.
1317	Change provisions relating to disclosure of motorboat, motor vehicle, and operator records.
1322	Change provisions relating to provisional operators' permits, license examinations, and school permits.
1339*	Create a task force to study Nebraska property taxation.
1343*	Change the per diem for natural resources district board members.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1349*	Change provisions of the Information Technology Infrastructure Act.
1361	Change Nebraska Rules of the Road, size, weight, and load provisions, and motor carrier safety and hazardous material regulations.
1362	Change powers and duties of the Department of Aeronautics.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1404	Change Public Service Commission fees and authorize reimbursement for certain publication costs.
1404A	Appropriation Bill.
1416*	Create a task force to study issues relating to health insurance coverage for public employees.
1419	Change provisions relating to special permits for motor vehicle sales.
1420***	Change powers and duties for carrier enforcement officers.
1421*	Provide for enforcement against railroads that fail to maintain rights-of-way.

1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.
1446	Provide funding for technology purposes and establish the County Records Improvement Fund.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
299*	Memorialize Congress to propose an amendment to the U.S. Constitution limiting the Supreme Court and the federal courts with respect to levying taxes.

PAM BROWN

LB	
120*	Change provisions relating to child custody determination in divorce proceedings.
126*	Change provisions relating to minors in possession of alcohol.
160*	Limit governmental liability for damages relating to electronic computing devices.
312*	Change provisions for disposition of seized property.
343	Prohibit acts relating to stolen motor vehicles and major component parts.
466	Change provisions for operating a motor vehicle to avoid arrest.
508*	Adopt the Taxpayer Protection Spending Lid Act.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
735*	Provide child care training requirements.
736	Require certification for certain laboratories performing human genetic testing.
830*	Eliminate an art work requirement for public buildings.
936***	Adopt the Rural Economic Opportunities Act.
971*	Prohibit certain possession and purchases of ephedrine.
972*	Implement child support payments through the State Disbursement Unit.
972A	Appropriation Bill.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1003*	Establish an education savings plan and create funds.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1087*	Change State Lottery Cash Fund provisions.
1149*	Repeal a limitation on applications under the Quality Jobs Act.

1173*	Change the income tax rate.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1191*	Authorize creation of locally enacted government structures.
1193*	Exempt purchases by museums and museum memberships from sales and use taxes.
1231	Create the Early Childhood Interagency Coordinating Council.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1312*	Provide for exemptions from elevator regulations.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1386*	Adopt the Peace Officer Employer-Employee Relations Act.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
LR	
3	Establish a limit on increases to general fund appropriations.
6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

JON BRUNING

LB	
39*	Change provisions relating to theft.
79	Provide a penalty for the use of a computer to commit a felony or misdemeanor.
80*	Provide for five-year issuance of license plates.
111*	Define "unborn child" and redefine "person" in homicide actions.
159	Change certain penalties for gang-related offenses.
237*	Change provisions relating to retail sales and payments by metropolitan utilities districts.
263*	Prohibit school-based health clinics from offering certain services.
274*	Change provisions relating to the organization of agricultural business entities.
335*	Provide for premium deer and wild turkey hunting permits.
338*	Create the Water Conservation and Banking Act of 1999.
344*	Rename the Department of Roads.

352*	Adopt the Commission for the Blind and Visually Impaired Act and change and eliminate services for disabled persons.
423*	Provide immunity in actions relating to job references.
435*	Provide commitment procedures for sexually violent offenders under the Nebraska Mental Health Commitment Act.
467*	Adopt the Habitual Sex Offender Act.
476*	Adopt the Concealed Handgun License Act.
486*	Change payment provisions for state wards' education.
487*	Clarify school district residency provisions.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
521*	Provide for options to purchase lands leased from public power districts.
536	Change sanitary and improvement district voting provisions.
607*	Adopt the Neighborhood Development Act.
628*	Require provision of copies of public records at actual cost and recognize electronic transactions and communications.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
653*	Adopt the Nebraska Youth Mentoring Act.
695*	Change political party election, convention, delegate, and caucus provisions.
696*	Require technology access clauses within state contracts.
735*	Provide child care training requirements.
743	Change retirement provisions for police officers of first and second class cities and villages.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
837*	Change provisions relating to the Child Pornography Prevention Act.
838*	Change provisions relating to tobacco licenses and distribution of tobacco to minors.
847*	Change provisions of the Nebraska Visitors Development Act.
848*	Provide income tax adjustments for certain pension income.
861*	Change provisions of the Sex Offender Registration Act.
905*	Eliminate provisions relating to the State Lottery Act.
917	Prohibit the business use of the name of a municipality under the Uniform Deceptive Trade Practices Act.
918	Change provisions of the Nebraska Time-Share Act.
919*	Provide income tax adjustments for pensions and other distributions, dividends, and interest.
936***	Adopt the Rural Economic Opportunities Act.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.

987*	Change the income tax rate schedules and deduction amounts for certain spouses.
989*	Change provisions relating to criminal procedure and arraignment.
1000*	Provide for grants under the Wastewater Treatment Facilities Construction Assistance Act.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1007*	Clarify certain representation obligations of labor organizations.
1012*	Eliminate a motor vehicle registration grace period.
1026*	Change provisions relating to motor vehicle impoundment.
1030*	Create the offense of identity theft.
1031*	Change a fee for certain deeds and certificates.
1065*	Change penalties for operating a motor vehicle during a period of license suspension, revocation, or impoundment.
1072*	Provide an adjustment to income for capital gains.
1078*	Prohibit insurers, health service plans, and health maintenance organizations from certain actions relating to the use of the 911 system.
1083*	Adopt the Nebraska Cares Act.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1112*	Change provisions relating to water wells.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1160***	Adopt the Mentoring Act.
1162***	Adopt the School-to-Career Act.
1173*	Change the income tax rate.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1179	Change provisions relating to ballots cast by presidential electors.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1253*	Change provisions relating to insurance.
1276*	Change property tax exemption provisions.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1291*	Change provisions relating to abortion.
1303*	Change provisions for use of the hotel occupancy tax.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.

1319*	Change residency requirements for certain election commissioners and chief deputy election commissioners.
1331*	Require covering certain wastewater treatment lagoons.
1339*	Create a task force to study Nebraska property taxation.
1393*	Require the eradication of white perch under the Game Law.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1422*	Change provisions relating to violation of protection orders.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.

DENNIS BYARS

LB	
98*	Change provisions relating to grandparent visitation.
263*	Prohibit school-based health clinics from offering certain services.
274*	Change provisions relating to the organization of agricultural business entities.
347*	Appropriate funds for developmental disability services rate equity.
356	Change occupant protection system enforcement and penalty provisions.
408*	Provide for entry upon property by representatives of political subdivisions.
410*	Change provisions relating to child passenger restraints.
513*	Change marriage and recognition of marriage provisions.
515*	Change redistricting procedures and create an advisory commission.
593*	Provide for a driver's safety training program as pretrial diversion.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
655	Redefine "law enforcement officer" under the Nebraska Law Enforcement Training Center provisions.
696*	Require technology access clauses within state contracts.
751*	Prohibit acts relating to retail sales receipts and Universal Price Codes.
770*	Change the exempt amount for inheritance tax purposes.
830*	Eliminate an art work requirement for public buildings.
936***	Adopt the Rural Economic Opportunities Act.

937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
950*	Adopt the Infant Hearing Act.
950A	Appropriation Bill.
951*	Change provisions relating to the motor vehicle registration fee and create a fund.
951A	Appropriation Bill.
952*	Appropriate funds to the Department of Health and Human Services Finance and Support for senior services.
954*	Define and redefine terms under the Long-Term Care Insurance Act.
955*	Provide an income tax credit for long-term care insurance premiums.
970*	Change provisions for the use of occupant protection systems by children.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1011	Appropriate funds to the Department of Education for adult basic education programs.
1025*	Adopt the Nebraska Center for Nursing Act.
1095*	Adopt the Physician Self-Referral Act.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1124*	Create the Greenbelt Advisory Committee.
1144	Change continuing education provisions for optometrists.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1187*	Change the gallonage tax under the Nebraska Liquor Control Act.
1222*	Adopt the Value-Added Partnerships Act.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1253*	Change provisions relating to insurance.
1261	Change provisions covering dentistry examinations and dental hygienists.
1262	Create the Regional Response Fund for hazardous materials emergencies.
1339*	Create a task force to study Nebraska property taxation.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1416*	Create a task force to study issues relating to health insurance coverage for public employees.

1417*	Require disclosure of information relating to research using certain human fetal tissue.
1427*	Change provisions of the Nebraska Health Care Trust Fund Act.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

ERNIE CHAMBERS

LB	
44*	Provide penalties for criminal attempt and require a report by law enforcement agencies.
69	Change provisions relating to employment discrimination based on sexual orientation.
70	Adopt the Voluntary Physician Aid-In-Dying Act.
74	Change provisions relating to traffic infractions.
75	Change provisions relating to the burden of proof for enhanced penalties for discrimination based offenses.
204*	Prohibit ticket quota requirements for law enforcement.
235*	Lower the required concentration of alcohol for DWI conviction.
480*	Create the Women's Health Initiative of Nebraska.
509	Redefine "murder in the first degree."
510	Provide for election of the Attorney General on a nonpartisan basis.
558*	Combine and eliminate provisions relating to civil rights, employment, housing, and public accommodations.
597	Change provisions relating to aggravating and mitigating circumstances in criminal procedure.
598	Change the Nebraska Evidence Rules to require use of recorded confessions.
599	Provide a duty for the executive director of the Nebraska Commission on Law Enforcement and Criminal Justice.
631*	Eliminate the state college system and restructure governance of postsecondary education.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
905*	Eliminate provisions relating to the State Lottery Act.
953*	Change provisions relating to employment security law.
1008*	Authorize funding for, access to, and judicial notice of specified criminal justice reports.
1008A	Appropriation Bill.
1021*	Change provisions relating to filings, gifts, statements, and reports under the Political Accountability and Disclosure Act.
1117	Eliminate the Convention Center Facility Financing Assistance Act and the Local Civic, Cultural, and Convention Center Financing Act.

1118	Eliminate the death penalty and provide for life imprisonment without possibility of parole.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
LR	
23CA*	Constitutional amendment to change higher education structure, governance, and oversight.

MATT CONNEALY

LB	
223*	Adopt the Court Appointed Special Advocate Act.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
495*	Adopt the Education and Career Preparation Act.
504	Redefine "automobile liability policy."
607*	Adopt the Neighborhood Development Act.
651*	Require the Supreme Court to pay security costs.
718*	Place a moratorium on certain personal service contracts where a state agency is a party.
823*	Change public power and irrigation district board of director powers and duties.
833*	Change provisions relating to veterinarians and veterinary medicine.
834*	Prohibit mislabeled meat or poultry as prescribed.
842*	Adopt the Agricultural Opportunity Fund Act.
965*	Provide mental health services to inmates in jails and detention centers.
982*	Change provisions relating to cemetery care and maintenance expenses.
983*	Change provisions relating to corrections of birth or death certificates.
989*	Change provisions relating to criminal procedure and arraignment.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1006*	Change provisions relating to the levy authority of townships.
1017*	Change provisions for valuation of agricultural and horticultural land.
1018*	Change provisions relating to motor vehicle industry licensing.
1020*	Allow local authorities to issue vehicle overweight permits.
1030*	Create the offense of identity theft.

1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1059*	Create the offense of ticket scalping.
1124*	Create the Greenbelt Advisory Committee.
1146*	Change Nebraska Rules of the Road with respect to weight and length provisions.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1269*	Change provisions relating to Nebraska Workers' Compensation Court judges.
1293*	Provide an exception to budget and levy limits for educational service units.
1294	Provide a sales tax exemption for certain drainage districts.
1305*	Provide for state funding of community colleges.
1309*	Provide employer and compensation court duties relating to workers' compensation.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1363A	Appropriation Bill.
1386*	Adopt the Peace Officer Employer-Employee Relations Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

GEORGE COORDSEN

LB	
16	Change the fines for exceeding the speed limit on the interstate and highways.
29*	Provide for issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies.
38	Provide a limit on state appropriations.
96*	Provide for certain county offices to be filled on a nonpartisan basis.
160*	Limit governmental liability for damages relating to electronic computing devices.
274*	Change provisions relating to the organization of agricultural business entities.
282*	Change political subdivision and state immunity provisions relating to government computer systems.
304	Change school district freeholder petition provisions.
358*	Change provisions relating to protective helmets.
364*	Change the definition of redevelopment project under the Community Development Law.
365*	Provide for distribution of local option sales tax collected in community redevelopment areas.
383*	Change capital gains provisions.
400*	Change provisions relating to income tax calculations.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
495*	Adopt the Education and Career Preparation Act.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
521*	Provide for options to purchase lands leased from public power districts.
595*	Require notice of abandonment or discontinuation of railroad service.
612*	Change child support guideline provisions.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
696*	Require technology access clauses within state contracts.
768*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
794*	Establish procedures for possible discontinued or abandoned rail service.
830*	Eliminate an art work requirement for public buildings.
842*	Adopt the Agricultural Opportunity Fund Act.
896	Change provisions relating to incentive payments relating to state aid to schools.

897	Change late penalty provisions relating to employment security taxes.
936***	Adopt the Rural Economic Opportunities Act.
942*	Eliminate the Review Incentives Program Committee.
956*	Change provisions relating to the salaries of state constitutional officers.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1046*	Require payment of interest on recaptured tax credits and incentives.
1047*	Provide for adjustment of investment levels under the Employment and Investment Growth Act.
1080	Provide for acceptance of digital signatures in electronic format by state government.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1100*	Change provisions relating to assessment of property and provide for creation of a sales file.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1105*	Change agricultural land taxation provisions.
1107*	Change the calculation of the local effort rate relating to school finance.
1109*	Exempt purchases for grain warehouses from sales taxation.
1124*	Create the Greenbelt Advisory Committee.
1124A	Appropriation Bill.
1146*	Change Nebraska Rules of the Road with respect to weight and length provisions.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1169*	Create the Educational Units of Efficiency Task Force.
1177	Provide a limitation on late payment fees on certain loans.
1222*	Adopt the Value-Added Partnerships Act.
1230	Provide for allocation of certain local sales tax revenue.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1276*	Change property tax exemption provisions.
1281*	Change election precinct provisions.
1305*	Provide for state funding of community colleges.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.

1353*	Change provisions for valuation of agricultural and horticultural land.
1376*	Change Class I school district provisions.
1399*	Provide for a salary study for teachers, for bonuses for certain teachers, and authorize student loan forgiveness for teachers, and provide duties for a volunteer service commission.
1405*	Adopt the Fetal Tissue Research Act.
1432*	Adopt the Agricultural Suppliers Lease Protection Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

1CA	Constitutional amendment to require the Legislature to appropriate funds to political subdivisions for certain mandated programs.
4CA*	Constitutional amendment to provide for a Commission on Legislative Compensation.
5CA*	Constitutional amendment to change the salary for members of the Legislature.
6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.

LaVon CROSBY

LB

98*	Change provisions relating to grandparent visitation.
111*	Define "unborn child" and redefine "person" in homicide actions.
120*	Change provisions relating to child custody determination in divorce proceedings.
223*	Adopt the Court Appointed Special Advocate Act.
235*	Lower the required concentration of alcohol for DWI conviction.
263*	Prohibit school-based health clinics from offering certain services.
347*	Appropriate funds for developmental disability services rate equity.
352*	Adopt the Commission for the Blind and Visually Impaired Act and change and eliminate services for disabled persons.
352A	Appropriation Bill.
406	Change landlord and tenant duty provisions.
445*	Change motor vehicle operation provisions.
484*	Provide an income tax credit for certain educational expenses.
507*	Appropriate funds to the Coordinating Commission for Postsecondary Education.
607*	Adopt the Neighborhood Development Act.
629	Provide for the Donated Dental Services program.

629A	Appropriation Bill.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
653*	Adopt the Nebraska Youth Mentoring Act.
721	Appropriate funds to the Department of Health and Human Services for domestic violence programs.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
936***	Adopt the Rural Economic Opportunities Act.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
982*	Change provisions relating to cemetery care and maintenance expenses.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1035*	Change tobacco product provisions and penalties.
1051*	Change provisions relating to medical assistance and provide assistance to persons with a medically improved disability.
1134*	Authorize the issuance of bonds for technology equipment and services for libraries.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1175	Appropriate funds for Sheldon Memorial Art Gallery renovations.
1176	Provide medicare supplement insurance for retired state employees.
1224*	Appropriate funds to the Nebraska Library Commission.
1242*	Appropriate funds for Centennial Mall improvements.
1253*	Change provisions relating to insurance.
1372	Provide an adjustment to income for certain veteran benefits.
1405*	Adopt the Fetal Tissue Research Act.
1441	State intent relating to visual and performing arts in the public schools.

LR

289CA*	Constitutional amendment to permit gaming on Indian lands.

JIM D. CUDABACK

LB

80*	Provide for five-year issuance of license plates.

96*	Provide for certain county offices to be filled on a nonpartisan basis.
114*	Change a provision relating to access to public records by modem.
126*	Change provisions relating to minors in possession of alcohol.
173*	Change provisions relating to Class I school district levies and budgets.
183*	Adopt the Liquified Petroleum Gas Tax Act.
187*	Change provisions relating to distribution of lottery proceeds.
252*	Prohibit the obstruction of highways in first and second class cities and villages and certain county roads.
264	Provide for the surrender of license plate for certain violations.
289*	Provide central filing for county zoning regulations.
289A	Appropriation Bill.
337*	Change and eliminate provisions relating to the testing and sale of tractors.
338*	Create the Water Conservation and Banking Act of 1999.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
398	Change provisions relating to the notation of liens on certified copies of certificates of title for motor vehicles.
398A	Appropriation Bill.
399	Change provisions relating to marriage licenses.
408*	Provide for entry upon property by representatives of political subdivisions.
409*	Change provisions relating to elections, ordinances, and officers in political subdivisions.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
513*	Change marriage and recognition of marriage provisions.
521*	Provide for options to purchase lands leased from public power districts.
593*	Provide for a driver's safety training program as pretrial diversion.
595*	Require notice of abandonment or discontinuation of railroad service.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
768*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
780*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.

910*	Provide for Honorably Discharged Veteran license plates.
922*	Provide additional district court and juvenile court judgeships.
922A*	Appropriation Bill.
936***	Adopt the Rural Economic Opportunities Act.
982*	Change provisions relating to cemetery care and maintenance expenses.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.
1018*	Change provisions relating to motor vehicle industry licensing.
1056*	Change provisions relating to audits of Class I school districts.
1081*	Provide for reimbursement to counties for parolees' detention expenses.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1114	Change procedures for adoption of a local option sales tax.
1124*	Create the Greenbelt Advisory Committee.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1155*	Change tax provisions regarding corporate losses.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1218*	Create the motor vehicle insurance identification data base program.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1265*	Change provisions relating to the Lieutenant Governor.
1278	Distribute funds to schools on a per-teacher basis.
1312*	Provide for exemptions from elevator regulations.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1376*	Change Class I school district provisions.
1382*	Change provisions relating to commodity packaging regulations.
1405*	Adopt the Fetal Tissue Research Act.
1421*	Provide for enforcement against railroads that fail to maintain rights-of-way.
1438*	Provide an income tax for support of schools.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.

ROBERT DICKEY

LB	
936***	Adopt the Rural Economic Opportunities Act.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1006*	Change provisions relating to the levy authority of townships.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1094*	Provide penalties under the Nebraska Liquor Control Act for possession of gambling devices.
1095*	Adopt the Physician Self-Referral Act.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1102*	Change drug paraphernalia provisions.
1151*	Appropriate funds to the Nebraska Natural Resources Commission for critical erosion or water quality areas.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1187*	Change the gallonage tax under the Nebraska Liquor Control Act.
1222*	Adopt the Value-Added Partnerships Act.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1291*	Change provisions relating to abortion.
1339*	Create a task force to study Nebraska property taxation.
1343*	Change the per diem for natural resources district board members.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1405*	Adopt the Fetal Tissue Research Act.
1437*	Adopt the Family Farm and Ranch Transfer Act.
1438*	Provide an income tax for support of schools.

MERTON L. DIERKS

LB	
98*	Change provisions relating to grandparent visitation.
111*	Define "unborn child" and redefine "person" in homicide actions.
116*	State intent and define terms relating to electric utilities.
173*	Change provisions relating to Class I school district levies and budgets.

193*	Exempt the Nebraska veterans homes from administration by the state building division.
209*	Define terms relating to alternative medical treatment under the Uniform Licensing Law and authorize certain medical care.
235*	Lower the required concentration of alcohol for DWI conviction.
263*	Prohibit school-based health clinics from offering certain services.
300*	Change provisions relating to motor vehicle registration and the ten-day grace period.
302*	Create the Nebraska Commission on Motor Vehicle Laws.
302A	Appropriation Bill.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
347*	Appropriate funds for developmental disability services rate equity.
402*	Adopt an agricultural stewardship demonstration award program.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
463*	Adopt the Organic Agriculture Act.
480*	Create the Women's Health Initiative of Nebraska.
483*	Adopt the Parent Education Equitable Reimbursement (PEER) System Act.
484*	Provide an income tax credit for certain educational expenses.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
593*	Provide for a driver's safety training program as pretrial diversion.
604	Change provisions for veterans relating to service in the United States Armed Forces.
650*	Appropriate funds to Peru State College.
750*	Change provisions of the Clean Indoor Air Act.
797	Change pharmacy practice and regulation provisions.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
833A	Appropriation Bill.
842*	Adopt the Agricultural Opportunity Fund Act.
868*	Change health and human services partnership intent, accountability, and report provisions.
936***	Adopt the Rural Economic Opportunities Act.
953*	Change provisions relating to employment security law.
957*	Create the Carbon Sequestration Advisory Committee and change provisions of the Nebraska Environmental Trust Act.

957A	Appropriation Bill.
958	Provide for certification of grain and restrictions on grain dealers, warehouse licensees, and first purchasers.
959	Provide for a cause of action for certain crop damage.
960	Eliminate provisions for the weighing of grain and pellets relating to grain warehouses.
961	Define veterinarian-client-patient relationship.
962	Change sales tax provisions relating to magazines and journals.
963	Provide for veterinary technician provisions and eliminate approved animal technician provisions.
964	Provide information disclosure requirements for veterinarians.
971*	Prohibit certain possession and purchases of ephedrine.
982*	Change provisions relating to cemetery care and maintenance expenses.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1003*	Establish an education savings plan and create funds.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1009	Change requirements for brand inspection at open markets.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1023*	Change provisions relating to veterinarians and and veterinary technicians.
1028*	Provide that chelation therapy is not grounds for a charge of unprofessional conduct under the Uniform Licensing Law.
1052	Provide for a registered dairy program.
1056*	Change provisions relating to audits of Class I school districts.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1070	Adopt the Agricultural Property Tax Credit Act.
1071	Adopt the Agricultural Production Contract Act.
1079*	Provide for cultivation of industrial hemp.
1092*	Provide for a state meat inspection pilot program.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1103	Change the membership of medical facility boards of second class cities and villages.
1106*	Change provisions relating to partisan ballots at primary elections.
1107*	Change the calculation of the local effort rate relating to school finance.
1109*	Exempt purchases for grain warehouses from sales taxation.
1124*	Create the Greenbelt Advisory Committee.

1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1161*	Change the Tax Equity and Educational Opportunities Support Act.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1212	Change provisions for dental students under the Rural Health Systems and Professional Incentives Act.
1222*	Adopt the Value-Added Partnerships Act.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1248*	Change eligibility requirements for medicare supplement insurance.
1280	Change provisions relating to livestock health and disease.
1291*	Change provisions relating to abortion.
1325*	Change custody and placement provisions for intoxicated and mentally ill dangerous persons.
1329*	Change provisions relating to school districts within a unified system.
1331*	Require covering certain wastewater treatment lagoons.
1335*	Provide funding for high-needs special education students.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1359*	Change permit application provisions under the Livestock Waste Management Act.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1376*	Change Class I school district provisions.
1388*	Provide for specialized placement for children in out-of-home care.
1405*	Adopt the Fetal Tissue Research Act.
1409*	Provide for Nebraska Pioneer Farm Family License Plates.
1421*	Provide for enforcement against railroads that fail to maintain rights-of-way.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.

1426*	Prohibit certain acts relating to livestock waste control facilities.
1438*	Provide an income tax for support of schools.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.

PAT ENGEL

LB	
94	Provide for reciprocal interstate law enforcement agreements under the Interlocal Cooperation Act.
111*	Define "unborn child" and redefine "person" in homicide actions.
185***	Change provisions relating to actions brought by prisoners.
186***	Change provisions relating to postconviction proceedings.
263*	Prohibit school-based health clinics from offering certain services.
288*	Change eligibility provisions for incarceration work camps.
347*	Appropriate funds for developmental disability services rate equity.
445*	Change motor vehicle operation provisions.
457*	Provide for reimbursement from the state for certain election costs.
476*	Adopt the Concealed Handgun License Act.
482***	Provide payments to adoptive parents of state wards.
495*	Adopt the Education and Career Preparation Act.
507*	Appropriate funds to the Coordinating Commission for Postsecondary Education.
513*	Change marriage and recognition of marriage provisions.
570*	Authorize a service surcharge on wireless telecommunications service.
648*	Change sales and use tax provisions and define "packaged computer software."
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
807*	Change eligibility requirements under the Employment and Investment Growth Act.
830*	Eliminate an art work requirement for public buildings.
936***	Adopt the Rural Economic Opportunities Act.
950*	Adopt the Infant Hearing Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.

1005	Provide training for families who provide foster care for Native American children.
1006*	Change provisions relating to the levy authority of townships.
1010*	Change procedures relating to appraisal and sale of educational land.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1018*	Change provisions relating to motor vehicle industry licensing.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1107*	Change the calculation of the local effort rate relating to school finance.
1124*	Create the Greenbelt Advisory Committee.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1190*	Change county agricultural society tax levy provisions.
1207*	Provide authority for self-insurance of health benefit programs for the state colleges.
1222*	Adopt the Value-Added Partnerships Act.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1291*	Change provisions relating to abortion.
1331*	Require covering certain wastewater treatment lagoons.
1339*	Create a task force to study Nebraska property taxation.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1405*	Adopt the Fetal Tissue Research Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1433	Provide for loan agreements and repayment of loans by school districts.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR	
299*	Memorialize Congress to propose an amendment to the U.S. Constitution limiting the Supreme Court and the federal courts with respect to levying taxes.

D. PAUL HARTNETT

LB	
187*	Change provisions relating to distribution of lottery proceeds.
364*	Change the definition of redevelopment project under the Community Development Law.
365*	Provide for distribution of local option sales tax collected in community redevelopment areas.
408*	Provide for entry upon property by representatives of political subdivisions.
484*	Provide an income tax credit for certain educational expenses.
486*	Change payment provisions for state wards' education.
487*	Clarify school district residency provisions.
495*	Adopt the Education and Career Preparation Act.
502	Change assessment procedures for certain mobile homes.
507*	Appropriate funds to the Coordinating Commission for Postsecondary Education.
508*	Adopt the Taxpayer Protection Spending Lid Act.
549	Redefine "project" for purposes of industrial development.
607*	Adopt the Neighborhood Development Act.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
770*	Change the exempt amount for inheritance tax purposes.
771	Change electrical energy rate and other provisions relating to wind energy resources.
772	Exempt certain transfers of cellular telephones from sales and use tax provisions.
773	Change the minimum accrual rate under the State Patrol Retirement Act.
796*	Change provisions of the Nebraska Highway Bond Act.
807*	Change eligibility requirements under the Employment and Investment Growth Act.
808*	Require certain information on electric utility bills.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
847*	Change provisions of the Nebraska Visitors Development Act.
848*	Provide income tax adjustments for certain pension income.
856*	Change foster care investigation provisions.

857*	Change provisions for children in foster care and wards of the state.
919*	Provide income tax adjustments for pensions and other distributions, dividends, and interest.
923	Redefine a term relating to physician assistants.
936***	Adopt the Rural Economic Opportunities Act.
942*	Eliminate the Review Incentives Program Committee.
1000*	Provide for grants under the Wastewater Treatment Facilities Construction Assistance Act.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1012*	Eliminate a motor vehicle registration grace period.
1014*	Change greenbelt valuation provisions.
1018*	Change provisions relating to motor vehicle industry licensing.
1031*	Change a fee for certain deeds and certificates.
1072*	Provide an adjustment to income for capital gains.
1073	Change tax levy limit provisions.
1074	Change the exempt amount for inheritance tax purposes.
1087*	Change State Lottery Cash Fund provisions.
1126*	Authorize expenditures by local governments for funeral memorials.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1159	Change appointment of city and village officers.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1173*	Change the income tax rate.
1224*	Appropriate funds to the Nebraska Library Commission.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1291*	Change provisions relating to abortion.
1301*	Change sanitary and improvement district road repair and maintenance provisions.
1302*	Exempt pickle cards sales from sales tax.
1303*	Change provisions for use of the hotel occupancy tax.
1304*	Change provisions for audits of fire protection districts by the State Auditor.
1306	Change provisions relating to vacancies in the office of city administration in first class cities.
1315*	Change jurisdiction provisions for first class cities.
1318	Change interest and debt provisions.
1319*	Change residency requirements for certain election commissioners and chief deputy election commissioners.

1320	Provide for highway fund distributions to sanitary and improvement districts.
1339*	Create a task force to study Nebraska property taxation.
1345	Authorize in lieu of tax payments for Indian housing authorities.
1346*	Provide for Class D-1 licenses under the Nebraska Liquor Control Act.
1346A	Appropriation Bill.
1354	Exempt prepaid telephone calling cards sold through vending machines from sales tax.
1364	Change provisions for teacher and administrator certificates and permits.
1377	Authorize use of the Nebraska Energy Settlement Fund.
1378	Change provisions relating to additions to cities and villages.
1393*	Require the eradication of white perch under the Game Law.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1414*	Provide for a tax credit for donations to public schools.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

21CA	Constitutional amendment to authorize use of revenue bonds to develop property for use by nonprofit enterprises.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

JOHN HILGERT

LB

98*	Change provisions relating to grandparent visitation.
174	Adopt the One Day Rest in Seven Act.
174A	Appropriation Bill.
175*	Change provisions relating to disposition of personal property, security deposits, and actions for possession.
177*	Change provisions relating to tax exempt motor vehicles.
224	Adopt the Music Licensing Fees Act.
225	Change provisions relating to operating a motor vehicle to avoid arrest.
263*	Prohibit school-based health clinics from offering certain services.
312*	Change provisions for disposition of seized property.
337*	Change and eliminate provisions relating to the testing and sale of tractors.
344*	Rename the Department of Roads.

412	Change limitation of action provisions for product liability.
451*	Change payment amounts under the Relocation Assistance Act.
467*	Adopt the Habitual Sex Offender Act.
508*	Adopt the Taxpayer Protection Spending Lid Act.
524	Adopt the Athlete Agent Registration and Accountability Act.
525	Change provisions relating to salvaged vehicles.
527	Adopt the Attorney-Client Conference Act.
529	Change provisions for membership on the Nebraska Liquor Control Commission.
607*	Adopt the Neighborhood Development Act.
614*	Change product liability provisions.
650*	Appropriate funds to Peru State College.
718*	Place a moratorium on certain personal service contracts where a state agency is a party.
734*	Change public defender compensation provisions.
830*	Eliminate an art work requirement for public buildings.
867*	Provide duties for the Department of Correctional Services.
906*	Change provisions relating to motor vehicle registration and require In Transit decals.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
908*	Transfer the Office of Probation Administration from the Supreme Court to the Department of Correctional Services.
909	Provide for guidelines for accepting juveniles' academic credits by school districts.
910*	Provide for Honorably Discharged Veteran license plates.
911	Require certification of swimming pool owners and operators.
912	Change the hours to sell or dispense alcoholic liquors.
913	Eliminate a restriction relating to the purchase of beer by retail licensees.
914	Change provisions relating to cash assistance under the Welfare Reform Act.
925*	Change provisions of the Welfare Reform Act and provide a tax credit for child care.
953*	Change provisions relating to employment security law.
965*	Provide mental health services to inmates in jails and detention centers.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
989*	Change provisions relating to criminal procedure and arraignment.
1003*	Establish an education savings plan and create funds.

1007*	Clarify certain representation obligations of labor organizations.
1024*	Change the sales and use tax rate.
1030*	Create the offense of identity theft.
1035*	Change tobacco product provisions and penalties.
1061*	Redefine household income for homestead exemption purposes.
1063*	Change an application date for homestead exemptions.
1078*	Prohibit insurers, health service plans, and health maintenance organizations from certain actions relating to the use of the 911 system.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1189	Provide for medical liens for chiropractors.
1193*	Exempt purchases by museums and museum memberships from sales and use taxes.
1194*	Prohibit smoking at child care programs.
1291*	Change provisions relating to abortion.
1309*	Provide employer and compensation court duties relating to workers' compensation.
1310	Change procedures relating to unfair labor practices.
1311	Redefine a term for employment security purposes.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1386*	Adopt the Peace Officer Employer-Employee Relations Act.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1405*	Adopt the Fetal Tissue Research Act.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

289CA*	Constitutional amendment to permit gaming on Indian lands.
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

CAROL HUDKINS

LB

98*	Change provisions relating to grandparent visitation.
173*	Change provisions relating to Class I school district levies and budgets.
235*	Lower the required concentration of alcohol for DWI conviction.

274*	Change provisions relating to the organization of agricultural business entities.
300*	Change provisions relating to motor vehicle registration and the ten-day grace period.
302*	Create the Nebraska Commission on Motor Vehicle Laws.
309	Create the offense of disarming an officer.
310*	Prohibit driving in certain areas temporarily closed to traffic.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
347*	Appropriate funds for developmental disability services rate equity.
410*	Change provisions relating to child passenger restraints.
419*	Change provisions relating to valuation of farm sites.
423*	Provide immunity in actions relating to job references.
435*	Provide commitment procedures for sexually violent offenders under the Nebraska Mental Health Commitment Act.
457*	Provide for reimbursement from the state for certain election costs.
467*	Adopt the Habitual Sex Offender Act.
476*	Adopt the Concealed Handgun License Act.
477*	Create the Nebraska Grape and Winery Board.
480*	Create the Women's Health Initiative of Nebraska.
495*	Adopt the Education and Career Preparation Act.
500	Change procedures and penalties relating to accident reporting.
513*	Change marriage and recognition of marriage provisions.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
677	Authorize the resumption of property tax assessment duties in certain counties.
708	Change provisions for admission of persons to state hospitals and use of other facilities.
709	Change provisions relating to real estate appraisers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
867*	Provide duties for the Department of Correctional Services.
936***	Adopt the Rural Economic Opportunities Act.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
980	Authorize operation of vehicles by disabled persons under the Game Law.
981	Adopt the Acupuncture Practice Act.

1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1020*	Allow local authorities to issue vehicle overweight permits.
1023*	Change provisions relating to veterinarians and and veterinary technicians.
1035*	Change tobacco product provisions and penalties.
1056*	Change provisions relating to audits of Class I school districts.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1151*	Appropriate funds to the Nebraska Natural Resources Commission for critical erosion or water quality areas.
1190*	Change county agricultural society tax levy provisions.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1238*	Eliminate bond requirements for certain cities and villages.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1274*	Provide for at-home infant child care assistance.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1335*	Provide funding for high-needs special education students.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1352*	Create a public assistance task force and eliminate trust provisions.
1405*	Adopt the Fetal Tissue Research Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

LR	
6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.

RAY JANSSEN

LB	
138*	Create the Nebraska Volunteer Service Commission.
245*	Exempt certain United States Postal Service delivery charges from sales and use tax.
265*	Create a class of peace officer known as constable and provide powers and duties.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
344*	Rename the Department of Roads.
408*	Provide for entry upon property by representatives of political subdivisions.
431	Change provisions relating to membership of the Nebraska Liquor Control Commission.
433	Change provisions for verification of signatures and other information on initiative and referendum petitions.
433A	Appropriation Bill.
457*	Provide for reimbursement from the state for certain election costs.
476*	Adopt the Concealed Handgun License Act.
576*	Eliminate a restriction on the sale of lottery tickets.
577*	Change provisions for sales of tobacco and alcoholic liquor.
579*	Change provisions relating to recall procedures.
582*	Exclude certain zoning measures and personnel issues from being subject to referendum powers.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
678	Change license suspension provisions under the Liquor Control Act.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
742	Change drug paraphernalia provisions to exclude certain hypodermic syringes and needles.
791*	Change fund use provisions under the State Lottery Act.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
966*	Change provisions relating to deeds of distribution relating to decedents' estates.
973A	Appropriation Bill.
982*	Change provisions relating to cemetery care and maintenance expenses.

1016*	Provide an exemption from motor vehicles taxes and fees for Purple Heart recipients.
1018*	Change provisions relating to motor vehicle industry licensing.
1092*	Provide for a state meat inspection pilot program.
1093*	Create the offense of theft of video rental property.
1124*	Create the Greenbelt Advisory Committee.
1126*	Authorize expenditures by local governments for funeral memorials.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1150*	Change State Lottery Act provisions relating to transfers of funds, lottery game retailer compensation, and expense reports.
1151*	Appropriate funds to the Nebraska Natural Resources Commission for critical erosion or water quality areas.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1198*	Change membership provisions for boards of public works.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1244*	Change emission fee provisions under the Environmental Protection Act.
1265*	Change provisions relating to the Lieutenant Governor.
1304*	Change provisions for audits of fire protection districts by the State Auditor.
1305*	Provide for state funding of community colleges.
1339*	Create a task force to study Nebraska property taxation.
1346*	Provide for Class D-1 licenses under the Nebraska Liquor Control Act.
1347*	Provide for tribal-state compacts regarding gaming on Indian reservations and for legislative approval.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1352*	Create a public assistance task force and eliminate trust provisions.
1382*	Change provisions relating to commodity packaging regulations.
1420***	Change powers and duties for carrier enforcement officers.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.

1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.

JIM JENSEN

LB	
126*	Change provisions relating to minors in possession of alcohol.
177*	Change provisions relating to tax exempt motor vehicles.
185***	Change provisions relating to actions brought by prisoners.
186***	Change provisions relating to postconviction proceedings.
235*	Lower the required concentration of alcohol for DWI conviction.
237*	Change provisions relating to retail sales and payments by metropolitan utilities districts.
263*	Prohibit school-based health clinics from offering certain services.
274*	Change provisions relating to the organization of agricultural business entities.
312*	Change provisions for disposition of seized property.
423*	Provide immunity in actions relating to job references.
467*	Adopt the Habitual Sex Offender Act.
482***	Provide payments to adoptive parents of state wards.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
601*	Change the standard deduction amount for income tax purposes.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
641*	Change provisions relating to historical vehicles.
750*	Change provisions of the Clean Indoor Air Act.
798*	Change provisions relating to tobacco licenses and fees.
801	Change provisions relating to bids and bidding.
819	Adopt the Health Care Facility Licensure Act.
819A	Appropriation Bill.
868*	Change health and human services partnership intent, accountability, and report provisions.
905*	Eliminate provisions relating to the State Lottery Act.
943*	Provide income tax adjustments for long-term care insurance premiums.
951*	Change provisions relating to the motor vehicle registration fee and create a fund.

954*	Define and redefine terms under the Long-Term Care Insurance Act.
955*	Provide an income tax credit for long-term care insurance premiums.
972*	Implement child support payments through the State Disbursement Unit.
983*	Change provisions relating to corrections of birth or death certificates.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1029*	Create an advisory committee for health worker safety.
1094*	Provide penalties under the Nebraska Liquor Control Act for possession of gambling devices.
1095*	Adopt the Physician Self-Referral Act.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1165*	Create the Juvenile Services Fund and provide increase in a court fee.
1166*	Create the Juvenile Community Services Cash Fund and change court fees.
1167*	Change provisions relating to juvenile justice.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1173*	Change the income tax rate.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1187*	Change the gallonage tax under the Nebraska Liquor Control Act.
1195*	Adopt the Outpatient Surgical Procedures Data Collection Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1252*	Adopt the Nebraska Schools Construction Alternatives Act.
1299	Change physical therapy practice credentials and continuing education provisions.
1339*	Create a task force to study Nebraska property taxation.

1344*	Change child abuse and neglect reports and central register provisions.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1406*	Provide for special-purpose education programs.
1416*	Create a task force to study issues relating to health insurance coverage for public employees.
1417*	Require disclosure of information relating to research using certain human fetal tissue.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1427*	Change provisions of the Nebraska Health Care Trust Fund Act.
1427A	Appropriation Bill.
LR	
3	Establish a limit on increases to general fund appropriations.

JIM JONES

LB	
98*	Change provisions relating to grandparent visitation.
111*	Define "unborn child" and redefine "person" in homicide actions.
126*	Change provisions relating to minors in possession of alcohol.
171*	Provide for a refund of sales and use tax paid by television stations for digital broadcasting compliance.
173*	Change provisions relating to Class I school district levies and budgets.
185***	Change provisions relating to actions brought by prisoners.
186***	Change provisions relating to postconviction proceedings.
235*	Lower the required concentration of alcohol for DWI conviction.
263*	Prohibit school-based health clinics from offering certain services.
265*	Create a class of peace officer known as constable and provide powers and duties.
274*	Change provisions relating to the organization of agricultural business entities.
275	Change certain license plate fees.
283	Eliminate the fee for limited permits to hunt deer.

286	Change eminent domain provisions for natural resources districts.
338*	Create the Water Conservation and Banking Act of 1999.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
347*	Appropriate funds for developmental disability services rate equity.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
467*	Adopt the Habitual Sex Offender Act.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
515*	Change redistricting procedures and create an advisory commission.
557	Exempt purchases by city, county, or joint airport authorities from sales and use taxes.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
830*	Eliminate an art work requirement for public buildings.
833*	Change provisions relating to veterinarians and veterinary medicine.
834*	Prohibit mislabeled meat or poultry as prescribed.
867*	Provide duties for the Department of Correctional Services.
922*	Provide additional district court and juvenile court judgeships.
936***	Adopt the Rural Economic Opportunities Act.
982*	Change provisions relating to cemetery care and maintenance expenses.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1053*	Change provisions relating to raccoons under the Game Law.
1054*	Change membership requirements for the Board of Educational Lands and Funds.
1055	Change a time limit for correction of clerical errors by a county board of equalization.
1056*	Change provisions relating to audits of Class I school districts.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.

1092*	Provide for a state meat inspection pilot program.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1146*	Change Nebraska Rules of the Road with respect to weight and length provisions.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1222*	Adopt the Value-Added Partnerships Act.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1305*	Provide for state funding of community colleges.
1329*	Change provisions relating to school districts within a unified system.
1332*	Establish an application process for installation and delivery of broadband and advanced telecommunications infrastructure and services.
1333*	Provide assistance to counties and municipalities for advanced telecommunications infrastructure and services.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1376*	Change Class I school district provisions.
1405*	Adopt the Fetal Tissue Research Act.
1409*	Provide for Nebraska Pioneer Farm Family License Plates.
1420***	Change powers and duties for carrier enforcement officers.
1421*	Provide for enforcement against railroads that fail to maintain rights-of-way.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

1437*	Adopt the Family Farm and Ranch Transfer Act.
1438*	Provide an income tax for support of schools.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.
LR	
287CA*	Constitutional amendment to change the maximum number of members of the Legislature.
300	Approve gift of land from the Nebraska Game and Parks Foundation to the Game and Parks Commission.
304	Approve gift of land from the Game and Parks Foundation to the Game and Parks Commission.

SHELLEY KIEL

LB	
155*	Change provisions of the Class V School Employees Retirement Act.
223*	Adopt the Court Appointed Special Advocate Act.
256	Define terms and provide immunity from liability for volunteers.
312*	Change provisions for disposition of seized property.
339*	State intent relating to renewable energy resources and provide requirements for utility companies.
344*	Rename the Department of Roads.
507*	Appropriate funds to the Coordinating Commission for Postsecondary Education.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
643	Change provisions relating to motor vehicle repossession plates.
644	State intent relating to appropriations for the AIDS Pharmaceutical Assistance Project.
734*	Change public defender compensation provisions.
744*	Redefine the offense of reckless driving.
758*	Rename and change provisions of the Student Discipline Act.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
831*	Change provisions for employee benefit plans for certain political subdivisions.
848*	Provide income tax adjustments for certain pension income.
906*	Change provisions relating to motor vehicle registration and require In Transit decals.

907*	Change provisions relating to criminal mischief and prohibit graffiti.
956*	Change provisions relating to the salaries of state constitutional officers.
965*	Provide mental health services to inmates in jails and detention centers.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
995*	Change provisions for grievance registers under the Health Carrier Grievance Procedure Act.
1022*	Create the Community Criminal Justice Treatment Task Force.
1024*	Change the sales and use tax rate.
1038*	Provide powers to credit unions to close loans at other locations.
1039*	Provide for reduction of tax levies.
1108	Change temporary license provisions for audiologists and speech-language pathologists.
1142*	Provide liability for damages caused by health care treatment decisions.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1210*	Adopt the Program for Assertive Community Treatment Act.
1224*	Appropriate funds to the Nebraska Library Commission.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.
1314	Appropriate funds to the Department of Roads.
1321	Change child welfare caseload provisions.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1384	Change rules and regulations relating to elevators.
1385	Create the Vocational Technical Education Study Committee.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.

1403*	Provide for infectious disease testing in schools.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1440*	Limit automatic teller machine surcharges and provide information to customers.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
1443*	Establish procedures for pay equity audits.
LR	
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.
437	Extend sympathy to all individuals who have suffered due to gun violence in the State of Nebraska.
438	Rename the Nebraska portion of Interstate I-80 as the "I-80 Purple Heart Trail."

ROBERT "BOB" KREMER

LB	
193*	Exempt the Nebraska veterans homes from administration by the state building division.
274*	Change provisions relating to the organization of agricultural business entities.
338*	Create the Water Conservation and Banking Act of 1999.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
650*	Appropriate funds to Peru State College.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
830*	Eliminate an art work requirement for public buildings.
936***	Adopt the Rural Economic Opportunities Act.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1018*	Change provisions relating to motor vehicle industry licensing.

1053*	Change provisions relating to raccoons under the Game Law.
1054*	Change membership requirements for the Board of Educational Lands and Funds.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1093*	Create the offense of theft of video rental property.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1135*	Eliminate certain boards, committees, commissions, authorities, councils, task forces, and change a council.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1146*	Change Nebraska Rules of the Road with respect to weight and length provisions.
1151*	Appropriate funds to the Nebraska Natural Resources Commission for critical erosion or water quality areas.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1190*	Change county agricultural society tax levy provisions.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1248*	Change eligibility requirements for medicare supplement insurance.
1268	Change motor vehicle licensing provisions relating to motor vehicle and trailer dealers.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1291*	Change provisions relating to abortion.
1297	Change provisions for hearings by the Nebraska Power Review Board.
1339*	Create a task force to study Nebraska property taxation.
1343*	Change the per diem for natural resources district board members.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1405*	Adopt the Fetal Tissue Research Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.

1438*	Provide an income tax for support of schools.

DOUG KRISTENSEN

LB	
30	Change provisions for fees for issuance of license plates.
154	Change the number of legislative districts.
171*	Provide for a refund of sales and use tax paid by television stations for digital broadcasting compliance.
187*	Change provisions relating to distribution of lottery proceeds.
254	Change liability provisions relating to incorrect dates by a computer or information system.
338*	Create the Water Conservation and Banking Act of 1999.
423*	Provide immunity in actions relating to job references.
534	Change publication and distribution of the session laws and the journal of the Legislature.
535*	Adopt the Expenditure Limitation Act and limit tax rate changes.
591*	Provide exceptions to governmental tort liability relating to traffic control devices.
617	Create state district attorney offices.
631*	Eliminate the state college system and restructure governance of postsecondary education.
660	Adopt the College Savings Act.
662	Change railroad eminent domain provisions.
830*	Eliminate an art work requirement for public buildings.
852	Change provisions governing hearings and records in certain juvenile court proceedings.
875**	Eliminate a transfer from the Cash Reserve Fund.
895	Change the operative date of LB 271, 1999, relating to revenue and taxation.
936***	Adopt the Rural Economic Opportunities Act.
949*	Eliminate agricultural and horticultural land valuation boards and land manual areas.
951*	Change provisions relating to the motor vehicle registration fee and create a fund.
956*	Change provisions relating to the salaries of state constitutional officers.
1042*	Increase the number of commissioners on the Tax Equalization and Review Commission.
1067	Change provisions relating to motor fuels and fuel tax rates.
1084	Grant effect to certain acknowledgments under the Business Corporation Act.
1085	Change provisions relating to the Commission on Public Advocacy.
1128	Change and eliminate provisions relating to registration of bonds and powers and duties of the Auditor of Public Accounts.

1149*	Repeal a limitation on applications under the Quality Jobs Act.
1206	Change election provisions relating to cities with the city manager plan of government.
1214**	Change provisions relating to transfers of funds and the Relief to Property Taxpayers Act.
1214A*	Appropriation Bill.
1215**	Provide for the use of certain funds for the medical assistance program.
1216**	Change provisions relating to transfers and uses of various state funds.
1217**	Provide for deficit appropriations.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1253*	Change provisions relating to insurance.
1265*	Change provisions relating to the Lieutenant Governor.
1296*	Implement child support payments through the State Disbursement Unit and create a commission and unit.
1323	Create the Teaching Profession Study Team.
1339*	Create a task force to study Nebraska property taxation.
1375	Limit eligible providers of telecommunications service and regulate certain leases of fiber capacity.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

4CA*	Constitutional amendment to provide for a Commission on Legislative Compensation.
5CA*	Constitutional amendment to change the salary for members of the Legislature.
6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.
13CA	Constitutional amendment to prohibit special legislation and eliminate references to certain categories of special legislation.
23CA*	Constitutional amendment to change higher education structure, governance, and oversight.
294CA	Constitutional amendment to eliminate references to the Lieutenant Governor as the presiding officer of the Legislature.

DAVID M. LANDIS

LB

63	Adopt the Uniform Principal and Income Act of 1997.

126*	Change provisions relating to minors in possession of alcohol.
274*	Change provisions relating to the organization of agricultural business entities.
383*	Change capital gains provisions.
391	Provide for resentencing upon a finding of racial injustice in capital cases.
397	Change provisions relating to insurances rates and forms.
400*	Change provisions relating to income tax calculations.
451*	Change payment amounts under the Relocation Assistance Act.
452*	Provide procedures for delinquent school bond payments.
453	Authorize payment of property taxes in installments.
482***	Provide payments to adoptive parents of state wards.
505*	Change the cigarette and tobacco tax rates and distribution.
551	Adopt the Interstate Compact Uniform Receivership Act and the Nebraska Insurers Supervision Act.
553	Change and eliminate provisions of the Public Funds Deposit Security Act.
554	Change provisions of the Public Funds Deposit Security Act.
555	Change insurance provisions relating to managed care entities.
558*	Combine and eliminate provisions relating to civil rights, employment, housing, and public accommodations.
567	Change eminent domain provisions relating to public utilities.
752	Change provisions for handicapped persons and design and construction standards for housing.
756	Provide restrictions on the sale of motor vehicle operator's records.
758*	Rename and change provisions of the Student Discipline Act.
761	Change telecommunications provisions relating to rate rebalancing.
765	Change motor vehicle certificates of convenience and necessity.
818*	Provide criminal history record information checks on child and certain adult care providers.
924	Authorize a refund of sales tax paid on certain telephone calling cards.
925*	Change provisions of the Welfare Reform Act and provide a tax credit for child care.
925A	Appropriation Bill.
926	Provide cities and villages may require a fine for nonmoving traffic violations.
927	Authorize appointment of nonresidents as notaries public.
928	Authorize installment payments for certain property taxes.
929*	Adopt the Uniform Electronic Transactions Act, the Nebraska Governmental Unit Security Interest Act, provide

	fees for searching records, and change provisions relating to secured
930	Change provisions relating to insurance.
931	Change provisions relating to secured transactions.
932	Change provisions relating to banking and finance.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
957*	Create the Carbon Sequestration Advisory Committee and change provisions of the Nebraska Environmental Trust Act.
992*	Create the Green Futures Trust Fund.
992A	Appropriation Bill.
993*	Provide that use of a mobile telephone creates a rebuttable presumption of contributory negligence.
1097*	Change cramming provisions for telecommunications companies.
1098*	Allow issuance of bonds under the Municipal Infrastructure Redevelopment Fund Act.
1099	Provide for refunds of sales and use taxes paid relating to film production.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1110	Change provisions for commencement and limitation of certain civil actions.
1111	Adopt the Nebraska Governmental Unit Security Interest Act.
1116*	Authorize biennial budgeting for cities of the metropolitan and primary classes.
1119	Adopt the Property and Casualty Insurance Rate and Form Act and change provisions relating to workers' compensation insurance procurement.
1127*	Prohibit actions based upon credit history relating to certain liability insurance policies.
1145	Change provisions relating to redemption of certain school bonds.
1178	Change time deposit open account and bond provisions for public funds.
1208	Change provisions relating to the comprehensive health insurance pool.
1209	Redefine terms relating to insurance fraud.
1209A	Appropriation Bill.
1218*	Create the motor vehicle insurance identification data base program.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1242*	Appropriate funds for Centennial Mall improvements.
1259*	Appropriate funds for certain agreements under the Interlocal Cooperation Act.
1271	Change provisions for deposit of public funds.

1272	Change provisions of the Student Discipline Act.
1285*	Change provisions relating to orders, fines, and penalties of the Public Service Commission.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1340*	Change application process provisions under the Employment and Incentive Growth Act.
1341	Change trust account provisions relating to the State Real Estate Commission.
1350	Change provisions relating to state park motor vehicle entry permits for certain persons.
1351	Provide a deduction from income for child care wages.
1387	Change provisions for fiduciaries relating to investment compensation.
1388*	Provide for specialized placement for children in out-of-home care.
1389	Adopt the Capital Access Program Act.
1390	Provide a settlement escrow procedure.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.

LR

2CA	Constitutional amendment to authorize members of the Legislature to participate in certain employee benefit programs.
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.

DANIEL C. LYNCH

LB

25	Change provisions relating to license plates issued to handicapped or disabled persons.
26	Provide for reimbursement for public school breakfast programs.
26A	Appropriation Bill.
27	Require certain employees to pay for collective bargaining and contract enforcement.
138*	Create the Nebraska Volunteer Service Commission.
155*	Change provisions of the Class V School Employees Retirement Act.
187*	Change provisions relating to distribution of lottery proceeds.

219*	Change the number of juvenile court judges in certain counties.
312*	Change provisions for disposition of seized property.
347*	Appropriate funds for developmental disability services rate equity.
352*	Adopt the Commission for the Blind and Visually Impaired Act and change and eliminate services for disabled persons.
370	Authorize the designation of access aisles for handicapped parking.
371	Provide for wheelchair parking cone use.
425	Change provisions relating to school-related Staff Development Assistance.
452*	Provide procedures for delinquent school bond payments.
507*	Appropriate funds to the Coordinating Commission for Postsecondary Education.
508*	Adopt the Taxpayer Protection Spending Lid Act.
633*	Create the offense of assault while on school property.
652*	Change provisions relating to the secure youth confinement facility.
658	Change pickle card requirements.
659	Change provisions relating to the Compulsive Gamblers Assistance Fund.
659A	Appropriation Bill.
696*	Require technology access clauses within state contracts.
718*	Place a moratorium on certain personal service contracts where a state agency is a party.
830*	Eliminate an art work requirement for public buildings.
848*	Provide income tax adjustments for certain pension income.
867*	Provide duties for the Department of Correctional Services.
898	Change provisions relating to appointment of members to the Community-Based Neurobehavioral Rehabilitation Advisory Board.
899*	Change provisions relating to enforcement of child visitation orders.
916	Change provisions relating to the cigarette tax and prohibit affixing stamps or meter impressions.
936***	Adopt the Rural Economic Opportunities Act.
1016*	Provide an exemption from motor vehicles taxes and fees for Purple Heart recipients.
1018*	Change provisions relating to motor vehicle industry licensing.
1081*	Provide for reimbursement to counties for parolees' detention expenses.
1104	Change state and county deferred compensation plan provisions.
1113*	Increase rates paid by the state for behavioral health services.

1126*	Authorize expenditures by local governments for funeral memorials.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1172	Change Joslyn Castle funding provisions.
1185	Change an appropriation to the Nebraska State Historical Society.
1186	Provide for motor vehicle impoundment for violation of financial responsibility requirements.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1300*	Change eligibility provisions for medical assistance.
1302*	Exempt pickle cards sales from sales tax.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1339*	Create a task force to study Nebraska property taxation.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1408*	Request approval for a demonstration project relating to medicaid.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1447	Eliminate Class I and Class VI school districts.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

GERALD E. MATZKE

LB	
29*	Provide for issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies.
96*	Provide for certain county offices to be filled on a nonpartisan basis.
98*	Change provisions relating to grandparent visitation.
265*	Create a class of peace officer known as constable and provide powers and duties.
288*	Change eligibility provisions for incarceration work camps.
408*	Provide for entry upon property by representatives of political subdivisions.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
482***	Provide payments to adoptive parents of state wards.
482A	Appropriation Bill.
495*	Adopt the Education and Career Preparation Act.
505*	Change the cigarette and tobacco tax rates and distribution.
593*	Provide for a driver's safety training program as pretrial diversion.
936***	Adopt the Rural Economic Opportunities Act.
936A	Appropriation Bill.
954*	Define and redefine terms under the Long-Term Care Insurance Act.
955*	Provide an income tax credit for long-term care insurance premiums.
956*	Change provisions relating to the salaries of state constitutional officers.
989*	Change provisions relating to criminal procedure and arraignment.
992*	Create the Green Futures Trust Fund.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1017*	Change provisions for valuation of agricultural and horticultural land.
1018*	Change provisions relating to motor vehicle industry licensing.
1020*	Allow local authorities to issue vehicle overweight permits.
1058*	Change state aid calculations for school districts.
1107*	Change the calculation of the local effort rate relating to school finance.
1124*	Create the Greenbelt Advisory Committee.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.

1168*	Provide a tax credit for fees related to Small Business Administration loans.
1222*	Adopt the Value-Added Partnerships Act.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1269*	Change provisions relating to Nebraska Workers' Compensation Court judges.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1332*	Establish an application process for installation and delivery of broadband and advanced telecommunications infrastructure and services.
1339*	Create a task force to study Nebraska property taxation.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1431*	Change provisions for refund of motor vehicle fees.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.

DWITE PEDERSEN

LB	
29*	Provide for issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies.
80*	Provide for five-year issuance of license plates.
98*	Change provisions relating to grandparent visitation.
110	Provide requirements for issuance of permits for vehicles exceeding size and weight limitations.
111*	Define "unborn child" and redefine "person" in homicide actions.
120*	Change provisions relating to child custody determination in divorce proceedings.
126*	Change provisions relating to minors in possession of alcohol.
188*	Change provisions relating to revocation, suspension, impoundment, cancellation and reinstatement of driver's licenses, registration and operating privileges.
190	Create the offense of unlawful introduction of alcoholic liquor or a controlled substance within a detention facility.
193*	Exempt the Nebraska veterans homes from administration by the state building division.
201	Provide for academic certification courses outside the Nebraska Law Enforcement Training Center.
223*	Adopt the Court Appointed Special Advocate Act.
263*	Prohibit school-based health clinics from offering certain services.
288*	Change eligibility provisions for incarceration work camps.

310*	Prohibit driving in certain areas temporarily closed to traffic.
312*	Change provisions for disposition of seized property.
352*	Adopt the Commission for the Blind and Visually Impaired Act and change and eliminate services for disabled persons.
408*	Provide for entry upon property by representatives of political subdivisions.
423*	Provide immunity in actions relating to job references.
430	Change provisions governing Nebraska veterans homes.
457*	Provide for reimbursement from the state for certain election costs.
467*	Adopt the Habitual Sex Offender Act.
476*	Adopt the Concealed Handgun License Act.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
516*	Change penalty provisions for possession of marijuana.
535*	Adopt the Expenditure Limitation Act and limit tax rate changes.
601*	Change the standard deduction amount for income tax purposes.
633*	Create the offense of assault while on school property.
638*	Create a task force to study substance abuse services in the criminal justice system.
653*	Adopt the Nebraska Youth Mentoring Act.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
837*	Change provisions relating to the Child Pornography Prevention Act.
864	Change provisions relating to driving under the influence.
866*	Create a Legislative Advisory Committee for Corrections, and change provisions for inmate treatment, rights, and classification.
867*	Provide duties for the Department of Correctional Services.
899*	Change provisions relating to enforcement of child visitation orders.
919*	Provide income tax adjustments for pensions and other distributions, dividends, and interest.
936***	Adopt the Rural Economic Opportunities Act.
938	Change provisions relating to correctional services and work arrangements.
950*	Adopt the Infant Hearing Act.
951*	Change provisions relating to the motor vehicle registration fee and create a fund.
965*	Provide mental health services to inmates in jails and detention centers.
969*	Change provisions for organ and tissue donation language on motor vehicle operator's license applications.

970*	Change provisions for the use of occupant protection systems by children.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
989*	Change provisions relating to criminal procedure and arraignment.
994***	Change provisions relating to the Nebraska Law Enforcement Training Center.
1014*	Change greenbelt valuation provisions.
1030*	Create the offense of identity theft.
1078*	Prohibit insurers, health service plans, and health maintenance organizations from certain actions relating to the use of the 911 system.
1087*	Change State Lottery Cash Fund provisions.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1102*	Change drug paraphernalia provisions.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1147*	Provide for Nebraska Natural Heritage License Plates.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1164*	Change provisions of the Juvenile Services Act.
1167*	Change provisions relating to juvenile justice.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1264	Require competitive bidding under the Nebraska Comprehensive Community Mental Health Services Act.
1267*	Require insurance coverage for adopted children.
1289	Create the State Probation Contractual Services Cash Fund.
1291*	Change provisions relating to abortion.
1325*	Change custody and placement provisions for intoxicated and mentally ill dangerous persons.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1339*	Create a task force to study Nebraska property taxation.
1386*	Adopt the Peace Officer Employer-Employee Relations Act.
1391	Change provisions for disciplinary actions under the Nebraska Treatment and Corrections Act.
1392	Adopt the Nebraska County Juvenile Services Plan Act.

1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1414*	Provide for a tax credit for donations to public schools.
1417*	Require disclosure of information relating to research using certain human fetal tissue.
1423	Adopt the Interstate Compact on Licensure of Participants in Horse Racing with Pari-Mutuel Wagering.
1435	Adopt the Community-Based Alternative Sanctions Act and eliminate the Community Correctional Facilities and Programs Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

DON PEDERSON

LB	
288*	Change eligibility provisions for incarceration work camps.
408*	Provide for entry upon property by representatives of political subdivisions.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
593*	Provide for a driver's safety training program as pretrial diversion.
601*	Change the standard deduction amount for income tax purposes.
714*	Create the Southeast Nebraska Higher Education Task Force.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
751*	Prohibit acts relating to retail sales receipts and Universal Price Codes.
922*	Provide additional district court and juvenile court judgeships.
936***	Adopt the Rural Economic Opportunities Act.
956*	Change provisions relating to the salaries of state constitutional officers.
986*	Adopt the In the Line of Duty Dependent Education Act.
993*	Provide that use of a mobile telephone creates a rebuttable presumption of contributory negligence.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.
1003*	Establish an education savings plan and create funds.

1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1018*	Change provisions relating to motor vehicle industry licensing.
1107*	Change the calculation of the local effort rate relating to school finance.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1190*	Change county agricultural society tax levy provisions.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force; provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1238*	Eliminate bond requirements for certain cities and villages.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1248*	Change eligibility requirements for medicare supplement insurance.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1298	Eliminate a duty of the Commission for the Deaf and Hard of Hearing.
1316*	Provide a tax refund for sales of ethanol-blended motor fuel.
1339*	Create a task force to study Nebraska property taxation.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
299*	Memorialize Congress to propose an amendment to the U.S. Constitution limiting the Supreme Court and the federal courts with respect to levying taxes.

DONALD G. PREISTER

LB	
98*	Change provisions relating to grandparent visitation.
108*	Provide for confidentiality of public records in certain circumstances.
116*	State intent and define terms relating to electric utilities.
138*	Create the Nebraska Volunteer Service Commission.
182*	Adopt the Student Freedom of Expression Act.

235*	Lower the required concentration of alcohol for DWI conviction.
312*	Change provisions for disposition of seized property.
313*	Change provisions for the sale, display, and storage of cigarettes.
339*	State intent relating to renewable energy resources and provide requirements for utility companies.
344*	Rename the Department of Roads.
480*	Create the Women's Health Initiative of Nebraska.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
590*	Change provisions relating to the Municipal Natural Gas Regulation Act.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
717*	Change provisions of the Nebraska Emergency Planning and Community Right to Know Act.
717A	Appropriation Bill.
718*	Place a moratorium on certain personal service contracts where a state agency is a party.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
734*	Change public defender compensation provisions.
735*	Provide child care training requirements.
750*	Change provisions of the Clean Indoor Air Act.
808*	Require certain information on electric utility bills.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
848*	Provide income tax adjustments for certain pension income.
906*	Change provisions relating to motor vehicle registration and require In Transit decals.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
910*	Provide for Honorably Discharged Veteran license plates.
953*	Change provisions relating to employment security law.
985*	Change the exemption amount subject to inheritance tax and create a fund.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1014*	Change greenbelt valuation provisions.
1024*	Change the sales and use tax rate.
1033*	Prohibit smoking in certain designated areas.
1040*	Provide for a comprehensive study of water quality monitoring.

1061*	Redefine household income for homestead exemption purposes.
1107*	Change the calculation of the local effort rate relating to school finance.
1112*	Change provisions relating to water wells.
1127*	Prohibit actions based upon credit history relating to certain liability insurance policies.
1135*	Eliminate certain boards, committees, commissions, authorities, councils, task forces, and change a council.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1147*	Provide for Nebraska Natural Heritage License Plates.
1152*	Create the Nebraska Game and Parks Millennium Trust Fund and the Nebraska Game and Parks Millenium Cash Fund.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1194*	Prohibit smoking at child care programs.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1309*	Provide employer and compensation court duties relating to workers' compensation.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1339*	Create a task force to study Nebraska property taxation.
1357	Prohibit use of engine brakes under the Nebraska Rules of the Road.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1393*	Require the eradication of white perch under the Game Law.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR	
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

MARIAN L. PRICE

LB	
120*	Change provisions relating to child custody determination in divorce proceedings.
344*	Rename the Department of Roads.
353	Authorize additional contracts for nonteaching services in school districts.
354	Authorize contracts for school head coaches.
480*	Create the Women's Health Initiative of Nebraska.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
696*	Require technology access clauses within state contracts.
744*	Redefine the offense of reckless driving.
750*	Change provisions of the Clean Indoor Air Act.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
825A	Appropriation Bill.
936***	Adopt the Rural Economic Opportunities Act.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
950*	Adopt the Infant Hearing Act.
965*	Provide mental health services to inmates in jails and detention centers.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
993*	Provide that use of a mobile telephone creates a rebuttable presumption of contributory negligence.
997*	Require lighted headlights and taillights during windshield wiper operation.
1003*	Establish an education savings plan and create funds.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1025*	Adopt the Nebraska Center for Nursing Act.
1029*	Create an advisory committee for health worker safety.
1032	Provide for license plates designated for veterans.
1035*	Change tobacco product provisions and penalties.

1078*	Prohibit insurers, health service plans, and health maintenance organizations from certain actions relating to the use of the 911 system.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1116*	Authorize biennial budgeting for cities of the metropolitan and primary classes.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1164*	Change provisions of the Juvenile Services Act.
1165*	Create the Juvenile Services Fund and provide increase in a court fee.
1166*	Create the Juvenile Community Services Cash Fund and change court fees.
1167*	Change provisions relating to juvenile justice.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1184	Change provisions relating to state park motor vehicle entry permits.
1199	Change the polling hours for certain elections.
1210*	Adopt the Program for Assertive Community Treatment Act.
1218*	Create the motor vehicle insurance identification data base program.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1226*	Create the Master Teacher Program.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1228*	Establish the Minnie Freeman Scholarship for Excellence in Teaching Program.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1274*	Provide for at-home infant child care assistance.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1335*	Provide funding for high-needs special education students.
1337*	Adopt the Midwest Interstate Passenger Rail Compact.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1339*	Create a task force to study Nebraska property taxation.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1374	Exclude coupons from sales tax computation.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1427*	Change provisions of the Nebraska Health Care Trust Fund Act.

1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1440*	Limit automatic teller machine surcharges and provide information to customers.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
1443*	Establish procedures for pay equity audits.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.
LR	
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

MARK QUANDAHL

LB	
111*	Define "unborn child" and redefine "person" in homicide actions.
126*	Change provisions relating to minors in possession of alcohol.
175*	Change provisions relating to disposition of personal property, security deposits, and actions for possession.
263*	Prohibit school-based health clinics from offering certain services.
313*	Change provisions for the sale, display, and storage of cigarettes.
476*	Adopt the Concealed Handgun License Act.
513*	Change marriage and recognition of marriage provisions.
633*	Create the offense of assault while on school property.
695*	Change political party election, convention, delegate, and caucus provisions.
780*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
830*	Eliminate an art work requirement for public buildings.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
929*	Adopt the Uniform Electronic Transactions Act, the Nebraska Governmental Unit Security Interest Act, provide fees for searching records, and change provisions relating to secured
936***	Adopt the Rural Economic Opportunities Act.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
998*	Authorize audits of county claims for reimbursement for boarding state prisoners.

1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1037	Provide limits on artisan's liens with respect to lienholders of record.
1038*	Provide powers to credit unions to close loans at other locations.
1039*	Provide for reduction of tax levies.
1068	Authorize the Secretary of State to collect fees for searching UCC records.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1126*	Authorize expenditures by local governments for funeral memorials.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1148	Change installment loan license provisions.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1160***	Adopt the Mentoring Act.
1162***	Adopt the School-to-Career Act.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1170*	Change recall election provisions.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1182	Change solid waste collection service provisions for municipalities.
1191*	Authorize creation of locally enacted government structures.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1229*	Change provisions relating to garnishment of wages.
1238*	Eliminate bond requirements for certain cities and villages.
1252*	Adopt the Nebraska Schools Construction Alternatives Act.
1276*	Change property tax exemption provisions.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1291*	Change provisions relating to abortion.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.
1339*	Create a task force to study Nebraska property taxation.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1405*	Adopt the Fetal Tissue Research Act.
1414*	Provide for a tax credit for donations to public schools.

1415	Change provisions for bylaws, members, and property of charitable and fraternal societies.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1439	State intent relating to Class I and Class VI school districts.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.

RON RAIKES

LB	
160*	Limit governmental liability for damages relating to electronic computing devices.
282*	Change political subdivision and state immunity provisions relating to government computer systems.
338*	Create the Water Conservation and Banking Act of 1999.
408*	Provide for entry upon property by representatives of political subdivisions.
419*	Change provisions relating to valuation of farm sites.
495*	Adopt the Education and Career Preparation Act.
601*	Change the standard deduction amount for income tax purposes.
602	Provide for collective bargaining deadlines for school districts.
648*	Change sales and use tax provisions and define "packaged computer software."
651*	Require the Supreme Court to pay security costs.
710*	Change income tax calculations.
714*	Create the Southeast Nebraska Higher Education Task Force.
715*	Change provisions relating to state aid to schools.
732	Change a reference to the Nebraska Power Review Board.
750*	Change provisions of the Clean Indoor Air Act.
830*	Eliminate an art work requirement for public buildings.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.

1020*	Allow local authorities to issue vehicle overweight permits.
1058*	Change state aid calculations for school districts.
1106*	Change provisions relating to partisan ballots at primary elections.
1107*	Change the calculation of the local effort rate relating to school finance.
1116*	Authorize biennial budgeting for cities of the metropolitan and primary classes.
1124*	Create the Greenbelt Advisory Committee.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1222*	Adopt the Value-Added Partnerships Act.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1251*	Provide for electronic payment of taxes.
1276*	Change property tax exemption provisions.
1307*	Authorize an income tax checkoff to go to the Early Childhood Program Training Fund.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1336*	Change early childhood education pilot projects and programs.
1339*	Create a task force to study Nebraska property taxation.
1365	Change provisions relating to zoning and nonfarm buildings.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1428*	Change assessment provisions under the Business Improvement District Act.
1429*	Change provisions for assessments and taxes under the Business Improvement District Act.
1430*	Change base limitation provisions for budget limitation purposes.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.

PAMELA REDFIELD

LB	
52*	Change the method of inflicting the death penalty.
93	Provide deadlines for collective bargaining for schools.
111*	Define "unborn child" and redefine "person" in homicide actions.

235*	Lower the required concentration of alcohol for DWI conviction.
313*	Change provisions for the sale, display, and storage of cigarettes.
508*	Adopt the Taxpayer Protection Spending Lid Act.
513*	Change marriage and recognition of marriage provisions.
633*	Create the offense of assault while on school property.
710*	Change income tax calculations.
750*	Change provisions of the Clean Indoor Air Act.
818*	Provide criminal history record information checks on child and certain adult care providers.
830*	Eliminate an art work requirement for public buildings.
905*	Eliminate provisions relating to the State Lottery Act.
910*	Provide for Honorably Discharged Veteran license plates.
936***	Adopt the Rural Economic Opportunities Act.
942*	Eliminate the Review Incentives Program Committee.
953*	Change provisions relating to employment security law.
984	Change preliminary examination procedures relating to criminal procedure.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
993*	Provide that use of a mobile telephone creates a rebuttable presumption of contributory negligence.
997*	Require lighted headlights and taillights during windshield wiper operation.
1002	Prohibit acts relating to unsolicited electronic mail and advertising.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1007*	Clarify certain representation obligations of labor organizations.
1012*	Eliminate a motor vehicle registration grace period.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1026*	Change provisions relating to motor vehicle impoundment.
1030*	Create the offense of identity theft.
1049*	Eliminate provisions relating to the Air and Water Pollution Control Tax Refund Act.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1078*	Prohibit insurers, health service plans, and health maintenance organizations from certain actions relating to the use of the 911 system.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.

1102*	Change drug paraphernalia provisions.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1251*	Provide for electronic payment of taxes.
1274*	Provide for at-home infant child care assistance.
1276*	Change property tax exemption provisions.
1291*	Change provisions relating to abortion.
1301*	Change sanitary and improvement district road repair and maintenance provisions.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1335*	Provide funding for high-needs special education students.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1339*	Create a task force to study Nebraska property taxation.
1344*	Change child abuse and neglect reports and central register provisions.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1405*	Adopt the Fetal Tissue Research Act.
1422*	Change provisions relating to violation of protection orders.
1424*	Change special master and appeal provisions under the State Employees Collective Bargaining Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.

JENNIE ROBAK

LB	
337*	Change and eliminate provisions relating to the testing and sale of tractors.

457*	Provide for reimbursement from the state for certain election costs.
457A	Appropriation Bill.
476*	Adopt the Concealed Handgun License Act.
480*	Create the Women's Health Initiative of Nebraska.
483*	Adopt the Parent Education Equitable Reimbursement (PEER) System Act.
484*	Provide an income tax credit for certain educational expenses.
495*	Adopt the Education and Career Preparation Act.
560	Change lottery ticket provisions under the Nebraska County and City Lottery Act.
565*	Provide for a driver's safety training program as pretrial diversion.
577*	Change provisions for sales of tobacco and alcoholic liquor.
593*	Provide for a driver's safety training program as pretrial diversion.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
639*	Provide for a Department of Natural Resources by merging certain departments and a commission.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
653*	Adopt the Nebraska Youth Mentoring Act.
688	Prohibit use of a fuel power booster delivery system on a motor vehicle.
690	Change expungement of certain criminal history record information provisions.
751*	Prohibit acts relating to retail sales receipts and Universal Price Codes.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
936***	Adopt the Rural Economic Opportunities Act.
965*	Provide mental health services to inmates in jails and detention centers.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
992*	Create the Green Futures Trust Fund.
995*	Change provisions for grievance registers under the Health Carrier Grievance Procedure Act.
996	Provide for school violence prevention teams.
997*	Require lighted headlights and taillights during windshield wiper operation.
1022*	Create the Community Criminal Justice Treatment Task Force.
1022A	Appropriation Bill.

1027*	Prohibit nitrous oxide power booster systems on motor vehicles.
1027A	Appropriation Bill.
1030*	Create the offense of identity theft.
1034	Change provisions relating to prosecutions for sale of liquor to a minor and for retail license suspension.
1051*	Change provisions relating to medical assistance and provide assistance to persons with a medically improved disability.
1082	Exempt certain motor vehicle sales from sales taxation.
1092*	Provide for a state meat inspection pilot program.
1092A	Appropriation Bill.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1113*	Increase rates paid by the state for behavioral health services.
1124*	Create the Greenbelt Advisory Committee.
1129	Authorize bicycles to be emergency units.
1142*	Provide liability for damages caused by health care treatment decisions.
1165*	Create the Juvenile Services Fund and provide increase in a court fee.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1210*	Adopt the Program for Assertive Community Treatment Act.
1211*	Create the Task Force on Dental Services.
1224*	Appropriate funds to the Nebraska Library Commission.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1246*	Change provisions relating to schools and annexation of territory.
1274*	Provide for at-home infant child care assistance.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1434	Prohibit competition with private business by certain public power entities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.

STAN SCHELLPEPER (Deceased)
(The following bills are carryover bills with no other introducer)

LB	
281	Change provisions relating to the transportation of alcoholic liquor into the state for personal use.
428	Change provisions relating to parking permits for handicapped or disabled persons.
647	Change bingo and other gambling provisions.

DiAnna SCHIMEK

LB	
98*	Change provisions relating to grandparent visitation.
108*	Provide for confidentiality of public records in certain circumstances.
116*	State intent and define terms relating to electric utilities.
124*	Prohibit railroads from obstructing highways in primary class cities.
126*	Change provisions relating to minors in possession of alcohol.
138*	Create the Nebraska Volunteer Service Commission.
182*	Adopt the Student Freedom of Expression Act.
367	Provide membership requirements for planning commissions in cities of the primary class.
408*	Provide for entry upon property by representatives of political subdivisions.
438	Change provisions of the Nebraska Political Accountability and Disclosure Act.
455*	Modify political accountability and disclosure conflict of interest provisions.
467*	Adopt the Habitual Sex Offender Act.
480*	Create the Women's Health Initiative of Nebraska.
480A	Appropriation Bill.
482***	Provide payments to adoptive parents of state wards.
495*	Adopt the Education and Career Preparation Act.
505*	Change the cigarette and tobacco tax rates and distribution.
558*	Combine and eliminate provisions relating to civil rights, employment, housing, and public accommodations.
579*	Change provisions relating to recall procedures.
582*	Exclude certain zoning measures and personnel issues from being subject to referendum powers.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.

654	Change provisions relating to the Department of Administrative Services.
654A	Appropriation Bill.
717*	Change provisions of the Nebraska Emergency Planning and Community Right to Know Act.
728	State intent relating to initiative and referendum measures.
729	Provide powers and duties for the Secretary of State regarding initiative and referendum measures.
750*	Change provisions of the Clean Indoor Air Act.
758*	Rename and change provisions of the Student Discipline Act.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
933	Change provisions relating to the public meetings law and meetings outside Nebraska.
934	Change provisions relating to the powers and duties of the Department of Administrative Services.
935	Provide for write-in space on election ballots for the offices of President and Vice President.
936***	Adopt the Rural Economic Opportunities Act.
937*	Provide for the use of amortization schedules in determining compensation to owners for certain removal of outdoor advertising signs.
950*	Adopt the Infant Hearing Act.
953*	Change provisions relating to employment security law.
956*	Change provisions relating to the salaries of state constitutional officers.
983*	Change provisions relating to corrections of birth or death certificates.
986*	Adopt the In the Line of Duty Dependent Education Act.
988	Eliminate the annual review by school boards of parental involvement policies.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1116*	Authorize biennial budgeting for cities of the metropolitan and primary classes.
1126*	Authorize expenditures by local governments for funeral memorials.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1196	Change provisions relating to campaign statements, expenditure reports, and petition circulators.
1210*	Adopt the Program for Assertive Community Treatment Act.

1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1254*	Authorize a local sales and use tax for municipal counties and creation of municipal counties.
1255*	Authorize a local sales and use tax for municipal counties and creation of municipal counties.
1259*	Appropriate funds for certain agreements under the Interlocal Cooperation Act.
1274*	Provide for at-home infant child care assistance.
1281*	Change election precinct provisions.
1292*	Authorize creation of municipal counties.
1308	Change provisions relating to initiative and referendum petition circulators.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1347*	Provide for tribal-state compacts regarding gaming on Indian reservations and for legislative approval.
1352*	Create a public assistance task force and eliminate trust provisions.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1428*	Change assessment provisions under the Business Improvement District Act.
1429*	Change provisions for assessments and taxes under the Business Improvement District Act.
LR	
289CA*	Constitutional amendment to permit gaming on Indian lands.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

JERRY SCHMITT

LB	
173*	Change provisions relating to Class I school district levies and budgets.
193*	Exempt the Nebraska veterans homes from administration by the state building division.
204*	Prohibit ticket quota requirements for law enforcement.
206	Change provisions for the form of the retention ballot for judges.
207	Change provisions relating to motor vehicle registration and renewal fees for military license plates.

209*	Define terms relating to alternative medical treatment under the Uniform Licensing Law and authorize certain medical care.
210	Change provisions relating to the appointment of the Superintendent of Law Enforcement and Public Safety.
213	Provide for registration of dairies and change brand provisions.
338*	Create the Water Conservation and Banking Act of 1999.
410*	Change provisions relating to child passenger restraints.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
476*	Adopt the Concealed Handgun License Act.
481*	Transfer certain attorneys to the Department of Justice.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
515*	Change redistricting procedures and create an advisory commission.
564*	Provide for transfer of land in cases of school district consolidation.
565*	Provide for a driver's safety training program as pretrial diversion.
593*	Provide for a driver's safety training program as pretrial diversion.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
818*	Provide criminal history record information checks on child and certain adult care providers.
830*	Eliminate an art work requirement for public buildings.
833*	Change provisions relating to veterinarians and veterinary medicine.
834*	Prohibit mislabeled meat or poultry as prescribed.
867*	Provide duties for the Department of Correctional Services.
910*	Provide for Honorably Discharged Veteran license plates.
936***	Adopt the Rural Economic Opportunities Act.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1027*	Prohibit nitrous oxide power booster systems on motor vehicles.
1028*	Provide that chelation therapy is not grounds for a charge of unprofessional conduct under the Uniform Licensing Law.
1033*	Prohibit smoking in certain designated areas.

1053*	Change provisions relating to raccoons under the Game Law.
1054*	Change membership requirements for the Board of Educational Lands and Funds.
1056*	Change provisions relating to audits of Class I school districts.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1092*	Provide for a state meat inspection pilot program.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1102*	Change drug paraphernalia provisions.
1106*	Change provisions relating to partisan ballots at primary elections.
1124*	Create the Greenbelt Advisory Committee.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1222*	Adopt the Value-Added Partnerships Act.
1246*	Change provisions relating to schools and annexation of territory.
1359*	Change permit application provisions under the Livestock Waste Management Act.
1376*	Change Class I school district provisions.
1405*	Adopt the Fetal Tissue Research Act.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

287CA*	Constitutional amendment to change the maximum number of members of the Legislature.
289CA*	Constitutional amendment to permit gaming on Indian lands.

ED SCHROCK

LB

235*	Lower the required concentration of alcohol for DWI conviction.
335*	Provide for premium deer and wild turkey hunting permits.

337*	Change and eliminate provisions relating to the testing and sale of tractors.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
344*	Rename the Department of Roads.
347*	Appropriate funds for developmental disability services rate equity.
389*	Provide oxygenated gasoline sale requirements.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
488	Change provisions relating to flood control improvement corridors.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
633*	Create the offense of assault while on school property.
641*	Change provisions relating to historical vehicles.
657	Change aid provisions for natural resources districts.
744*	Redefine the offense of reckless driving.
780*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
785	Provide certain restrictions on irrigation wells.
788	Create the Game Law Investigation Cash Fund.
793	Change provisions relating to game and parks.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
831*	Change provisions for employee benefit plans for certain political subdivisions.
900A	Appropriation Bill.
901A	Appropriation Bill.
902	Change provisions relating to irrigation and appropriation of water amounts.
903	Change provisions relating to the pumping of water for irrigation purposes.
904	Change ground water management control and allocation provisions by natural resources districts.
910*	Provide for Honorably Discharged Veteran license plates.
922*	Provide additional district court and juvenile court judgeships.
936***	Adopt the Rural Economic Opportunities Act.
957*	Create the Carbon Sequestration Advisory Committee and change provisions of the Nebraska Environmental Trust Act.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
999	Change provisions relating to liquefied petroleum gas cylinders and containers.

1000*	Provide for grants under the Wastewater Treatment Facilities Construction Assistance Act.
1000A	Appropriation Bill.
1003*	Establish an education savings plan and create funds.
1003A	Appropriation Bill.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1018*	Change provisions relating to motor vehicle industry licensing.
1020*	Allow local authorities to issue vehicle overweight permits.
1035*	Change tobacco product provisions and penalties.
1040*	Provide for a comprehensive study of water quality monitoring.
1049*	Eliminate provisions relating to the Air and Water Pollution Control Tax Refund Act.
1056*	Change provisions relating to audits of Class I school districts.
1069*	Change provisions relating to irrigation and cost-share assistance.
1079*	Provide for cultivation of industrial hemp.
1094*	Provide penalties under the Nebraska Liquor Control Act for possession of gambling devices.
1107*	Change the calculation of the local effort rate relating to school finance.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1150*	Change State Lottery Act provisions relating to transfers of funds, lottery game retailer compensation, and expense reports.
1161*	Change the Tax Equity and Educational Opportunities Support Act.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1220	Exempt natural resources district employees from certain certification requirements.
1222*	Adopt the Value-Added Partnerships Act.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1228*	Establish the Minnie Freeman Scholarship for Excellence in Teaching Program.

1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1234A	Appropriation Bill.
1265*	Change provisions relating to the Lieutenant Governor.
1267*	Require insurance coverage for adopted children.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1300*	Change eligibility provisions for medical assistance.
1316*	Provide a tax refund for sales of ethanol-blended motor fuel.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1326	Appropriate funds to the Nebraska Arts Council.
1327	Provide for altering improvement project area boundaries for natural resources districts.
1329*	Change provisions relating to school districts within a unified system.
1331*	Require covering certain wastewater treatment lagoons.
1335*	Provide funding for high-needs special education students.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1355	Create the Water Quality Cost Sharing Fund, appropriate funds and provide for grants under the Ground Water Management and Protection Act.
1356	Create the Water Quality Cost Sharing Fund, provide a fee, and provide for grants under the Ground Water Management and Protection Act.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1405*	Adopt the Fetal Tissue Research Act.
1408*	Request approval for a demonstration project relating to medicaid.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.
1438*	Provide an income tax for support of schools.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.

ADRIAN SMITH

LB	
111*	Define "unborn child" and redefine "person" in homicide actions.

263*	Prohibit school-based health clinics from offering certain services.
313*	Change provisions for the sale, display, and storage of cigarettes.
344*	Rename the Department of Roads.
457*	Provide for reimbursement from the state for certain election costs.
476*	Adopt the Concealed Handgun License Act.
482***	Provide payments to adoptive parents of state wards.
513*	Change marriage and recognition of marriage provisions.
601*	Change the standard deduction amount for income tax purposes.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
695*	Change political party election, convention, delegate, and caucus provisions.
696*	Require technology access clauses within state contracts.
700*	Provide liability for cleanup costs due to a hazardous substance emergency.
830*	Eliminate an art work requirement for public buildings.
905*	Eliminate provisions relating to the State Lottery Act.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
936***	Adopt the Rural Economic Opportunities Act.
985*	Change the exemption amount subject to inheritance tax and create a fund.
986*	Adopt the In the Line of Duty Dependent Education Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
989*	Change provisions relating to criminal procedure and arraignment.
990*	Exempt certain deeds and trust deeds from the documentary stamp tax.
994***	Change provisions relating to the Nebraska Law Enforcement Training Center.
1000*	Provide for grants under the Wastewater Treatment Facilities Construction Assistance Act.
1003*	Establish an education savings plan and create funds.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1053*	Change provisions relating to raccoons under the Game Law.
1054*	Change membership requirements for the Board of Educational Lands and Funds.

1064	Appropriate funds for expansion of the Western Nebraska Veterans' Home.
1087*	Change State Lottery Cash Fund provisions.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1124*	Create the Greenbelt Advisory Committee.
1130*	Change provisions relating to minors' violations and license suspension for illegal sales under the Nebraska Liquor Control Act.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1134*	Authorize the issuance of bonds for technology equipment and services for libraries.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1170*	Change recall election provisions.
1171*	Change Nebraska Liquor Control Act licensee violation provisions.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1180*	Create a fund for tourism development purposes.
1183	Change provisions relating to additions and platting for certain cities and villages.
1222*	Adopt the Value-Added Partnerships Act.
1235	Change provisions for issuance of citations for violations of codes by certain cities and villages.
1238*	Eliminate bond requirements for certain cities and villages.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1291*	Change provisions relating to abortion.
1313*	Adopt the Municipal and Historical Redevelopment Act of 2000.
1339*	Create a task force to study Nebraska property taxation.
1360*	Provide for a program for recognition and reward of businesses with exemplary environmental management.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1403*	Provide for infectious disease testing in schools.
1405*	Adopt the Fetal Tissue Research Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.
1444*	Provide for a sales tax on snack foods and provide revenue for teacher's health insurance.

ELAINE STUHR

LB	
98*	Change provisions relating to grandparent visitation.
173*	Change provisions relating to Class I school district levies and budgets.
282*	Change political subdivision and state immunity provisions relating to government computer systems.
344*	Rename the Department of Roads.
347*	Appropriate funds for developmental disability services rate equity.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
462	Change and eliminate solid waste collection service provisions.
463*	Adopt the Organic Agriculture Act.
480*	Create the Women's Health Initiative of Nebraska.
495*	Adopt the Education and Career Preparation Act.
495A*	Appropriation Bill.
513*	Change marriage and recognition of marriage provisions.
515*	Change redistricting procedures and create an advisory commission.
606	Change payment provisions relating to the Community Improvements Cash Fund.
633*	Create the offense of assault while on school property.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
686*	Change provisions relating to speed limits.
812*	Require academic standards and provide for assessment and reporting of student learning.
830*	Eliminate an art work requirement for public buildings.
936***	Adopt the Rural Economic Opportunities Act.
949*	Eliminate agricultural and horticultural land valuation boards and land manual areas.
950*	Adopt the Infant Hearing Act.
987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1010*	Change procedures relating to appraisal and sale of educational land.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1018*	Change provisions relating to motor vehicle industry licensing.
1020*	Allow local authorities to issue vehicle overweight permits.
1035*	Change tobacco product provisions and penalties.
1036	Exclude certain payments by schools from the maximum levy amount and the allowable growth rate.
1093*	Create the offense of theft of video rental property.

1100*	Change provisions relating to assessment of property and provide for creation of a sales file.
1107*	Change the calculation of the local effort rate relating to school finance.
1112*	Change provisions relating to water wells.
1124*	Create the Greenbelt Advisory Committee.
1137*	Require compliance with environmental laws, rules, and regulations as a condition for certain tax incentives.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.
1168*	Provide a tax credit for fees related to Small Business Administration loans.
1169*	Create the Educational Units of Efficiency Task Force.
1222*	Adopt the Value-Added Partnerships Act.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1274*	Provide for at-home infant child care assistance.
1282	Change provisions relating to habitual criminals.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1316*	Provide a tax refund for sales of ethanol-blended motor fuel.
1335*	Provide funding for high-needs special education students.
1339*	Create a task force to study Nebraska property taxation.
1344*	Change child abuse and neglect reports and central register provisions.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1405*	Adopt the Fetal Tissue Research Act.
1409*	Provide for Nebraska Pioneer Farm Family License Plates.
1420***	Change powers and duties for carrier enforcement officers.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1438*	Provide an income tax for support of schools.
LR	
20CA	Constitutional amendment to change English language requirements in non-public schools.

DEBORAH S. SUTTLE

LB	
108*	Provide for confidentiality of public records in certain circumstances.

126*	Change provisions relating to minors in possession of alcohol.
130*	Change penalty provisions for possession of marijuana.
138*	Create the Nebraska Volunteer Service Commission.
182*	Adopt the Student Freedom of Expression Act.
219*	Change the number of juvenile court judges in certain counties.
220	Redefine terms relating to podiatry.
222	Provide for an administrative fee to be imposed on persons convicted of traffic offenses.
223*	Adopt the Court Appointed Special Advocate Act.
235*	Lower the required concentration of alcohol for DWI conviction.
300*	Change provisions relating to motor vehicle registration and the ten-day grace period.
302*	Create the Nebraska Commission on Motor Vehicle Laws.
312*	Change provisions for disposition of seized property.
313*	Change provisions for the sale, display, and storage of cigarettes.
344*	Rename the Department of Roads.
467*	Adopt the Habitual Sex Offender Act.
480*	Create the Women's Health Initiative of Nebraska.
495*	Adopt the Education and Career Preparation Act.
505*	Change the cigarette and tobacco tax rates and distribution.
523	Adopt the Nurse Licensure Compact.
593*	Provide for a driver's safety training program as pretrial diversion.
607*	Adopt the Neighborhood Development Act.
633*	Create the offense of assault while on school property.
696*	Require technology access clauses within state contracts.
734*	Change public defender compensation provisions.
744*	Redefine the offense of reckless driving.
750*	Change provisions of the Clean Indoor Air Act.
782*	Provide for licensure of interpreters and provide duties for the Commission for the Deaf and Hard of Hearing.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
922*	Provide additional district court and juvenile court judgeships.
922A*	Appropriation Bill.
950*	Adopt the Infant Hearing Act.
983*	Change provisions relating to corrections of birth or death certificates.

987*	Change the income tax rate schedules and deduction amounts for certain spouses.
1022*	Create the Community Criminal Justice Treatment Task Force.
1024*	Change the sales and use tax rate.
1025*	Adopt the Nebraska Center for Nursing Act.
1025A	Appropriation Bill.
1026*	Change provisions relating to motor vehicle impoundment.
1029*	Create an advisory committee for health worker safety.
1050*	Regulate certain telephone solicitations.
1051*	Change provisions relating to medical assistance and provide assistance to persons with a medically improved disability.
1061*	Redefine household income for homestead exemption purposes.
1063*	Change an application date for homestead exemptions.
1065*	Change penalties for operating a motor vehicle during a period of license suspension, revocation, or impoundment.
1088	Provide tax credits for employer-sponsored and employer-provided child care.
1089	Change presentence evaluation provisions with respect to driving under the influence.
1090	Prohibit the sale of certain vehicles to persons without a motor vehicle operator's license.
1091	Change parental liability provisions.
1139	Adopt the Nebraska Read, Educate, and Develop Youth Act.
1140	Change provisions for delegation, supervision, and requirements for certification of licensed practice nurses.
1141	Change the Nebraska Cosmetology Act with respect to licensure and nail technology.
1142*	Provide liability for damages caused by health care treatment decisions.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1164*	Change provisions of the Juvenile Services Act.
1165*	Create the Juvenile Services Fund and provide increase in a court fee.
1166*	Create the Juvenile Community Services Cash Fund and change court fees.
1167*	Change provisions relating to juvenile justice.
1210*	Adopt the Program for Assertive Community Treatment Act.
1211*	Create the Task Force on Dental Services.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1226*	Create the Master Teacher Program.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1274*	Provide for at-home infant child care assistance.
1336*	Change early childhood education pilot projects and programs.

1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1388*	Provide for specialized placement for children in out-of-home care.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.
1403*	Provide for infectious disease testing in schools.
1406*	Provide for special-purpose education programs.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR

298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.
320	Provide the University meet requirements relating to employing women and minority faculty members.

NANCY THOMPSON

LB

29*	Provide for issuance of undercover license plates and undercover driver's licenses to federal law enforcement agencies.
138*	Create the Nebraska Volunteer Service Commission.
151	Change provisions relating to DNA samples and fingerprints under the DNA Detection of Sexual and Violent Offenders Act.
153	Create a task force to study the State Patrol.
153A	Appropriation Bill.
188*	Change provisions relating to revocation, suspension, impoundment, cancellation and reinstatement of driver's licenses, registration and operating privileges.
189	Provide for disclosure of certain information relating to child abuse.
223*	Adopt the Court Appointed Special Advocate Act.
300*	Change provisions relating to motor vehicle registration and the ten-day grace period.
302*	Create the Nebraska Commission on Motor Vehicle Laws.
313*	Change provisions for the sale, display, and storage of cigarettes.
339*	State intent relating to renewable energy resources and provide requirements for utility companies.
344*	Rename the Department of Roads.
374	Provide jurisdiction over the parents of guardians and custodians of certain juveniles.

376	Change cost reimbursement provisions for certain juveniles.
410*	Change provisions relating to child passenger restraints.
449	Change support services provisions under the Special Education Act.
450	Change reimbursement of indigent defense cost provisions.
480*	Create the Women's Health Initiative of Nebraska.
495*	Adopt the Education and Career Preparation Act.
505*	Change the cigarette and tobacco tax rates and distribution.
508*	Adopt the Taxpayer Protection Spending Lid Act.
607*	Adopt the Neighborhood Development Act.
609	Change provisions for costs of care, treatment, and transportation of juveniles.
633*	Create the offense of assault while on school property.
638*	Create a task force to study substance abuse services in the criminal justice system.
639*	Provide for a Department of Natural Resources by merging certain departments and a commission.
641*	Change provisions relating to historical vehicles.
652*	Change provisions relating to the secure youth confinement facility.
652A	Appropriation Bill.
725	Change public utility, natural gas franchise, and fee provisions.
727*	Create a task force to examine teacher and administrator issues.
744*	Redefine the offense of reckless driving.
750*	Change provisions of the Clean Indoor Air Act.
798*	Change provisions relating to tobacco licenses and fees.
818*	Provide criminal history record information checks on child and certain adult care providers.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
847*	Change provisions of the Nebraska Visitors Development Act.
848*	Provide income tax adjustments for certain pension income.
861*	Change provisions of the Sex Offender Registration Act.
907*	Change provisions relating to criminal mischief and prohibit graffiti.
950*	Adopt the Infant Hearing Act.
951*	Change provisions relating to the motor vehicle registration fee and create a fund.
965*	Provide mental health services to inmates in jails and detention centers.
969*	Change provisions for organ and tissue donation language on motor vehicle operator's license applications.
970*	Change provisions for the use of occupant protection systems by children.

983*	Change provisions relating to corrections of birth or death certificates.
1012*	Eliminate a motor vehicle registration grace period.
1014*	Change greenbelt valuation provisions.
1022*	Create the Community Criminal Justice Treatment Task Force.
1030*	Create the offense of identity theft.
1031*	Change a fee for certain deeds and certificates.
1033*	Prohibit smoking in certain designated areas.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1163*	Authorize construction projects for the Youth Rehabilitation Centers at Geneva and Kearney.
1164*	Change provisions of the Juvenile Services Act.
1165*	Create the Juvenile Services Fund and provide increase in a court fee.
1166*	Create the Juvenile Community Services Cash Fund and change court fees.
1167*	Change provisions relating to juvenile justice.
1167A	Appropriation Bill.
1187*	Change the gallonage tax under the Nebraska Liquor Control Act.
1194*	Prohibit smoking at child care programs.
1195*	Adopt the Outpatient Surgical Procedures Data Collection Act.
1224*	Appropriate funds to the Nebraska Library Commission.
1225*	Adopt the Traumatic or Acquired Brain Injury Act.
1226*	Create the Master Teacher Program.
1227*	Adopt the Attracting Excellence to Teaching Program Act.
1228*	Establish the Minnie Freeman Scholarship for Excellence in Teaching Program.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1275	Provide for privileged communications in domestic violence or sexual assault cases.
1287*	Authorize and regulate low-speed vehicles under the Nebraska Rules of the Road.
1293*	Provide an exception to budget and levy limits for educational service units.
1303*	Change provisions for use of the hotel occupancy tax.
1307*	Authorize an income tax checkoff to go to the Early Childhood Program Training Fund.

1319*	Change residency requirements for certain election commissioners and chief deputy election commissioners.
1324*	Change provisions for exceeding the basic allowable growth percentage under the Tax Equity and Educational Opportunities Support Act.
1338*	Provide a tax credit for liability insurance premiums for onsite child care facilities.
1383	Create the Voluntary Sentencing Guidelines Commission and provide for more uniform sentencing.
1393*	Require the eradication of white perch under the Game Law.
1394*	Authorize natural resources districts to exercise eminent domain for acquisition of county roads.
1395*	Change membership provisions of the Game and Parks Commission.

LR

6CA*	Constitutional amendment to require the resignation of members of the Legislature elected to other state or local offices.

GENE TYSON

LB

130*	Change penalty provisions for possession of marijuana.
133	Provide for the classification of certain utility vehicles as farm trucks.
156	Prohibit certain lobbying activities by former state officers.
173*	Change provisions relating to Class I school district levies and budgets.
185***	Change provisions relating to actions brought by prisoners.
186***	Change provisions relating to postconviction proceedings.
193*	Exempt the Nebraska veterans homes from administration by the state building division.
245*	Exempt certain United States Postal Service delivery charges from sales and use tax.
263*	Prohibit school-based health clinics from offering certain services.
274*	Change provisions relating to the organization of agricultural business entities.
302*	Create the Nebraska Commission on Motor Vehicle Laws.
476*	Adopt the Concealed Handgun License Act.
481*	Transfer certain attorneys to the Department of Justice.
483*	Adopt the Parent Education Equitable Reimbursement (PEER) System Act.
484*	Provide an income tax credit for certain educational expenses.
513*	Change marriage and recognition of marriage provisions.
516*	Change penalty provisions for possession of marijuana.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.

699	Limit governmental liability for damages relating to electronic computing devices.
700*	Provide liability for cleanup costs due to a hazardous substance emergency.
701	Change fence provisions relating to recreational trails.
702	Authorize combined utility billings.
751*	Prohibit acts relating to retail sales receipts and Universal Price Codes.
817	Adopt the Charter Schools Act.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
830*	Eliminate an art work requirement for public buildings.
850	Adopt the Juvenile Detention Regions Act.
866*	Create a Legislative Advisory Committee for Corrections, and change provisions for inmate treatment, rights, and classification.
868*	Change health and human services partnership intent, accountability, and report provisions.
871	Create the Behavior Health Redesign Review Task Force.
905*	Eliminate provisions relating to the State Lottery Act.
936***	Adopt the Rural Economic Opportunities Act.
1003*	Establish an education savings plan and create funds.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1087*	Change State Lottery Cash Fund provisions.
1092*	Provide for a state meat inspection pilot program.
1095*	Adopt the Physician Self-Referral Act.
1096*	Adopt the Personal Identity Defense Act and create the offense of identity fraud.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1130*	Change provisions relating to minors' violations and license suspension for illegal sales under the Nebraska Liquor Control Act.
1131	Change provisions relating to municipal water and sanitary sewer service extension district limits.
1132	Authorize a property tax levy for offstreet parking districts.
1133*	Eliminate the offense of carrying a concealed weapon and create the offense of carrying a weapon with unlawful intent.
1134*	Authorize the issuance of bonds for technology equipment and services for libraries.
1136*	Adopt the Elementary and Secondary Scholarship Assistance Act.
1143*	Adopt the Nebraska Archaeological Resources Preservation Act.

1167*	Change provisions relating to juvenile justice.
1174*	Change the State Lottery Act regarding promotional advertising and certain materials.
1222*	Adopt the Value-Added Partnerships Act.
1224*	Appropriate funds to the Nebraska Library Commission.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1241*	Change provisions relating to the Compulsive Gamblers Assistance Fund.
1256	Adopt the Insurance Compliance Self-Evaluative Privilege Act.
1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1291*	Change provisions relating to abortion.
1315*	Change jurisdiction provisions for first class cities.
1339*	Create a task force to study Nebraska property taxation.
1342	Adopt the Nebraska Municipal Comparability Act.
1363*	Provide for an immigrant worker task force and a meatpacking industry coordinator.
1405*	Adopt the Fetal Tissue Research Act.
1417*	Require disclosure of information relating to research using certain human fetal tissue.
1425*	Appropriate funds for Aid to Community Colleges for an electromechanical and industrial maintenance program and an Agricultural Education Complex.
1426*	Prohibit certain acts relating to livestock waste control facilities.
1427*	Change provisions of the Nebraska Health Care Trust Fund Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.
1438*	Provide an income tax for support of schools.
1442*	Prohibit disclosure of nonpublic personal information by financial institutions.

FLOYD VRTISKA

LB	
96*	Provide for certain county offices to be filled on a nonpartisan basis.
98*	Change provisions relating to grandparent visitation.
114*	Change a provision relating to access to public records by modem.
120*	Change provisions relating to child custody determination in divorce proceedings.
126*	Change provisions relating to minors in possession of alcohol.

173*	Change provisions relating to Class I school district levies and budgets.
235*	Lower the required concentration of alcohol for DWI conviction.
263*	Prohibit school-based health clinics from offering certain services.
265*	Create a class of peace officer known as constable and provide powers and duties.
289*	Provide central filing for county zoning regulations.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
402*	Adopt an agricultural stewardship demonstration award program.
408*	Provide for entry upon property by representatives of political subdivisions.
409*	Change provisions relating to elections, ordinances, and officers in political subdivisions.
419*	Change provisions relating to valuation of farm sites.
457*	Provide for reimbursement from the state for certain election costs.
477*	Create the Nebraska Grape and Winery Board.
495*	Adopt the Education and Career Preparation Act.
513*	Change marriage and recognition of marriage provisions.
570*	Authorize a service surcharge on wireless telecommunications service.
593*	Provide for a driver's safety training program as pretrial diversion.
607*	Adopt the Neighborhood Development Act.
650*	Appropriate funds to Peru State College.
651*	Require the Supreme Court to pay security costs.
692	Change and eliminate powers and duties of the Auditor of Public Accounts.
696*	Require technology access clauses within state contracts.
733*	Change provisions relating to unregistered vehicles and vehicles without license plates.
780*	Provide for operator's license, motor vehicle registration, and license plate revocation and seizure.
830*	Eliminate an art work requirement for public buildings.
842*	Adopt the Agricultural Opportunity Fund Act.
915	Change provisions relating to experience accounts under the Employment Security Law.
936***	Adopt the Rural Economic Opportunities Act.
952*	Appropriate funds to the Department of Health and Human Services Finance and Support for senior services.
953*	Change provisions relating to employment security law.
991	Provide for one license plate and In Transit decal per vehicle.
992*	Create the Green Futures Trust Fund.

1001	Provide duties for the county clerk relating to school affiliation.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1018*	Change provisions relating to motor vehicle industry licensing.
1020*	Allow local authorities to issue vehicle overweight permits.
1044*	Change agricultural land valuation provisions under the Tax Equity and Educational Opportunities Support Act.
1101*	Adopt the Nebraska Senior Companion Volunteer Program Act.
1106*	Change provisions relating to partisan ballots at primary elections.
1107*	Change the calculation of the local effort rate relating to school finance.
1124*	Create the Greenbelt Advisory Committee.
1126*	Authorize expenditures by local governments for funeral memorials.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1169*	Create the Educational Units of Efficiency Task Force.
1181	Allow state chartered savings and loan associations equal powers as federal associations.
1222*	Adopt the Value-Added Partnerships Act.
1222A	Appropriation Bill.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1247	Appropriate funds for expansion of the Agriculture Hall facility at State Fair Park.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1373	Require identification of the county of issuance on all license plates.
1395*	Change membership provisions of the Game and Parks Commission.
1399*	Provide for a salary study for teachers, for bonuses for certain teachers, and authorize student loan forgiveness for teachers, and provide duties for a volunteer service commission.
1405*	Adopt the Fetal Tissue Research Act.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.

LR	
293CA*	Constitutional amendment to authorize tax exemption of certain property owned for rehabilitation purposes.

ROGER R. WEHRBEIN

LB	
124*	Prohibit railroads from obstructing highways in primary class cities.
126*	Change provisions relating to minors in possession of alcohol.
160*	Limit governmental liability for damages relating to electronic computing devices.
187*	Change provisions relating to distribution of lottery proceeds.
235*	Lower the required concentration of alcohol for DWI conviction.
239	Eliminate a transfer from the Cash Reserve Fund.
249	Authorize counties to levy license and occupation taxes.
252*	Prohibit the obstruction of highways in first and second class cities and villages and certain county roads.
263*	Prohibit school-based health clinics from offering certain services.
282*	Change political subdivision and state immunity provisions relating to government computer systems.
341*	Change negligence provisions regarding motor vehicular collisions with livestock.
419*	Change provisions relating to valuation of farm sites.
464	Establish a limit on certain appropriations and fund transfers.
477*	Create the Nebraska Grape and Winery Board.
513*	Change marriage and recognition of marriage provisions.
558*	Combine and eliminate provisions relating to civil rights, employment, housing, and public accommodations.
595*	Require notice of abandonment or discontinuation of railroad service.
650*	Appropriate funds to Peru State College.
685	Change ethanol production credit provisions.
731	Adopt the Rural Technology Development Act.
794*	Establish procedures for possible discontinued or abandoned rail service.
796*	Change provisions of the Nebraska Highway Bond Act.
825*	Adopt the Commercial Dog and Cat Operator Inspection Act.
936***	Adopt the Rural Economic Opportunities Act.
956*	Change provisions relating to the salaries of state constitutional officers.
957*	Create the Carbon Sequestration Advisory Committee and change provisions of the Nebraska Environmental Trust Act.

972*	Implement child support payments through the State Disbursement Unit.
982*	Change provisions relating to cemetery care and maintenance expenses.
983*	Change provisions relating to corrections of birth or death certificates.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1010*	Change procedures relating to appraisal and sale of educational land.
1015*	Change procedures for the transfer of the assessment function to the Property Tax Administrator.
1017*	Change provisions for valuation of agricultural and horticultural land.
1049*	Eliminate provisions relating to the Air and Water Pollution Control Tax Refund Act.
1053*	Change provisions relating to raccoons under the Game Law.
1057*	Create a personal property tax credit under the Beginning Farmer Tax Credit Act.
1107*	Change the calculation of the local effort rate relating to school finance.
1124*	Create the Greenbelt Advisory Committee.
1130*	Change provisions relating to minors' violations and license suspension for illegal sales under the Nebraska Liquor Control Act.
1134*	Authorize the issuance of bonds for technology equipment and services for libraries.
1149*	Repeal a limitation on applications under the Quality Jobs Act.
1155*	Change tax provisions regarding corporate losses.
1156	Change provisions relating to group term life insurance for volunteer fire departments.
1157	Change filing deadlines for candidates for city council in certain cities.
1158	Require zoning resolutions be adopted by county boards.
1180*	Create a fund for tourism development purposes.
1214A*	Appropriation Bill.
1222*	Adopt the Value-Added Partnerships Act.
1223	Change provisions relating to the Beginning Farmer Tax Credit Act.
1223A	Appropriation Bill.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1251*	Provide for electronic payment of taxes.
1273	Authorize acceptance of a real estate gift to Arbor Lodge State Historical Park.
1273A	Appropriation Bill.

1286*	Provide for safe harbor agreements under the Nongame and Endangered Species Conservation Act.
1339*	Create a task force to study Nebraska property taxation.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1348A	Appropriation Bill.
1349*	Change provisions of the Information Technology Infrastructure Act.
1395*	Change membership provisions of the Game and Parks Commission.
1396	Change provisions for recertification of economic forecasting estimates.
1399*	Provide for a salary study for teachers, for bonuses for certain teachers, and authorize student loan forgiveness for teachers, and provide duties for a volunteer service commission.
1405*	Adopt the Fetal Tissue Research Act.
1406*	Provide for special-purpose education programs.
1410*	Establish the Nebraska Lewis and Clark Bicentennial Commission and accept gift related to Arbor Lodge.
1410A	Appropriation Bill.
1411	Change the Air and Water Pollution Control Tax Refund Act.
1416*	Create a task force to study issues relating to health insurance coverage for public employees.
1432*	Adopt the Agricultural Suppliers Lease Protection Act.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1437*	Adopt the Family Farm and Ranch Transfer Act.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.

LR

293CA*	Constitutional amendment to authorize tax exemption of certain property owned for rehabilitation purposes.
296	Approve gift of land to the Game and Parks Commission as an addition to Arbor Lodge State Historical Park.
298*	Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.

WILLIAM R. "BOB" WICKERSHAM

LB

169	Change provisions relating to reduction in force for schools.
182*	Adopt the Student Freedom of Expression Act.
265*	Create a class of peace officer known as constable and provide powers and duties.

274*	Change provisions relating to the organization of agricultural business entities.
358*	Change provisions relating to protective helmets.
364*	Change the definition of redevelopment project under the Community Development Law.
365*	Provide for distribution of local option sales tax collected in community redevelopment areas.
383*	Change capital gains provisions.
400*	Change provisions relating to income tax calculations.
455*	Modify political accountability and disclosure conflict of interest provisions.
476*	Adopt the Concealed Handgun License Act.
477*	Create the Nebraska Grape and Winery Board.
495*	Adopt the Education and Career Preparation Act.
665	Appropriate funds to the Game and Parks Commission for design of exhibits for the Prehistoric Prairies Discovery Center at Fort Robinson State Park.
667	Change income tax calculations relating to partnerships.
668	Change provisions for average formula cost per student regarding state aid to schools.
670	Change the income tax and sales and use tax rates.
671	Adopt the Water Rights Leasing Act.
672	Adopt the Water Rights Leasing Act.
676	Change service annuity and disability provisions under the School Employees Retirement Act.
790*	Regulate the direct shipment of alcoholic liquor.
803*	Authorize creation of municipal counties.
941	Authorize a county license or occupation tax on entities selling alcoholic beverages.
942*	Eliminate the Review Incentives Program Committee.
943*	Provide income tax adjustments for long-term care insurance premiums.
944	Change provisions relating to references to the Internal Revenue Code.
945	Change provisions relating to property tax levy limitations.
946	Redefine household income relating to homestead exemption.
947	Change the base limitation applicable to school districts and other political subdivisions.
948	Exempt purchases by elected county fair boards from sales and use taxes.
952*	Appropriate funds to the Department of Health and Human Services Finance and Support for senior services.
968A	Appropriation Bill.
1004*	Recognize certain out-of-state convictions for driving under the influence for purposes of assessing penalties.
1042*	Increase the number of commissioners on the Tax Equalization and Review Commission.
1043	Change Tax Equalization and Review Commission appeal provisions.

1044*	Change agricultural land valuation provisions under the Tax Equity and Educational Opportunities Support Act.
1045	Disallow refunds of certain sales taxes under the Employment and Investment Growth Act.
1046*	Require payment of interest on recaptured tax credits and incentives.
1047*	Provide for adjustment of investment levels under the Employment and Investment Growth Act.
1048	Authorize installment payments for certain property taxes.
1049*	Eliminate provisions relating to the Air and Water Pollution Control Tax Refund Act.
1056*	Change provisions relating to audits of Class I school districts.
1058*	Change state aid calculations for school districts.
1105*	Change agricultural land taxation provisions.
1106*	Change provisions relating to partisan ballots at primary elections.
1107*	Change the calculation of the local effort rate relating to school finance.
1107A	Authorize in lieu of tax payments for Indian housing authorities.
1138A	Appropriation Bill.
1222*	Adopt the Value-Added Partnerships Act.
1232	Appropriate funds for Chadron State College building construction.
1233	Appropriate funds for the veteran cemetery system.
1234*	Create the Niobrara Council, the Ethanol Pricing Task Force, provide for wastewater treatment facility grants, a water quality monitoring study, and prohibit the sale of MTBE.
1238*	Eliminate bond requirements for certain cities and villages.
1243*	Change provisions relating to admission to schools and reimbursement for special education.
1245	Provide for a student information tracking system for postsecondary education.
1251*	Provide for electronic payment of taxes.
1254*	Authorize a local sales and use tax for municipal counties and creation of municipal counties.
1255*	Authorize a local sales and use tax for municipal counties and creation of municipal counties.
1260	Change greenbelt valuation provisions.
1276*	Change property tax exemption provisions.
1277*	Authorize local authorities to pass traffic regulation ordinances.
1292*	Authorize creation of municipal counties.
1330	Change a termination date for applications under the Quality Jobs Act.

1332*	Establish an application process for installation and delivery of broadband and advanced telecommunications infrastructure and services.
1333*	Provide assistance to counties and municipalities for advanced telecommunications infrastructure and services.
1335*	Provide funding for high-needs special education students.
1336*	Change early childhood education pilot projects and programs.
1340*	Change application process provisions under the Employment and Incentive Growth Act.
1348*	Adopt the Agricultural Opportunities and Value-Added Partnerships Act and change provisions of the Microenterprise Partnership Program.
1353*	Change provisions for valuation of agricultural and horticultural land.
1399*	Provide for a salary study for teachers, for bonuses for certain teachers, and authorize student loan forgiveness for teachers, and provide duties for a volunteer service commission.
1418	Adopt the Public Facilities Construction and Finance Act.
1430*	Change base limitation provisions for budget limitation purposes.
1431*	Change provisions for refund of motor vehicle fees.
1436*	Change provisions relating to the Nebraska Health Care Trust Fund Act and establish the Teen Tobacco Education and Prevention Project.
1445*	Increase fuel taxes to fund railroad crossing projects and change an excise tax rate.
LR	
291CA*	Constitutional amendment to change the effective date of compensation changes for the judiciary.
295	Approve gift of land from the Nebraska Game and Parks Foundation to the Game and Parks Commission.

*	With others.
**	At the request of the Governor.
***	With others and at the request of the Governor.

AGRICULTURE

LB	
833*	Change provisions relating to veterinarians and veterinary medicine.
834*	Prohibit mislabeled meat or poultry as prescribed.
1432*	Adopt the Agricultural Suppliers Lease Protection Act.

APPROPRIATIONS

LB	
1219	Appropriate funds to the Department of Property Assessment and Taxation.
1328	Change the powers and duties of the Nebraska Educational Telecommunications Commission.
1407	Authorize child-care expense reimbursement for low-income families.

BANKING, COMMERCE AND INSURANCE

LB	
1125	Change provisions relating to personal loans.

BUSINESS AND LABOR

LB	
1123	Change provisions relating to worker safety programs.
1221	Change workers' compensation provisions.
1257	Adopt the Nebraska Workforce Investment Act and terminate the Nebraska Job Training Act.
1448	Approve payment of certain claims against the state.
1449	Disapprove certain claims against the state.

EDUCATION

LB	
1213	Change provisions relating to school budget overrides, certification of limitations and recertification of budget limitations.
1334	Change provisions relating to tuition.

EXECUTIVE BOARD

LB	
884	Revisor bill to change citation references under the Nebraska Mental Health Commitment Act.
885	Revisor bill to repeal obsolete divestment provisions for the Strategic Air Command Museum.
886	Revisor bill to eliminate provisions relating to a depreciation surcharge applicable to tax year 1992.
887	Revisor bill to repeal provisions relating to the Nebraska Constitutional Revision Commission.

888	Revisor bill to repeal a section relating to the Department of Health and Human Services.
889	Revisor bill to repeal provisions governing an advisory committee in the Department of Health and Human Services.
890	Revisor bill to repeal provisions governing a plan relating to electronic information.
891	Revisor bill to harmonize provisions with Laws 1999, LB 436, relating to natural resources.
892	Revisor bill to delete references to the Managed Care Commission.
893	Revisor bill to delete references relating to the State Communications Advisory Board.
894	Revisor bill to repeal a duty relating to legislation adopting the Nebraska Juvenile Code.

GENERAL AFFAIRS

LB	
973	Change provisions relating to alcoholic liquor transportation, taxation, fees, licenses, and penalties.
974	Change provisions relating to possession of a gambling device.
975	Change provisions relating to minors in possession of alcoholic liquor.
976	Require signs for pickle card dispensing devices.
977	Change provisions relating to horseracing and terminate a fund.
978	Appropriate funds to the State Patrol for Alcohol/Tobacco Enforcement Officers.
979	Provide for hearing officers under the Nebraska Liquor Control Act.
1086	Change provisions relating to bingo and other gambling.

GOVERNMENT, MILITARY AND VETERANS AFFAIRS

LB	
572	Provide procedures for election contests involving ballot issues in political subdivisions.
803*	Authorize creation of municipal counties.
1135*	Eliminate certain boards, committees, commissions, authorities, councils, task forces, and change a council.

HEALTH AND HUMAN SERVICES

LB	
1115	Change provisions relating to health and human services.

NATURAL RESOURCES

LB	
390	Change provisions relating to joint exercise of powers and public power and irrigation districts.

823*	Change public power and irrigation district board of director powers and duties.
900**	Merge the Department of Water Resources and the Nebraska Natural Resources Commission and change water appropriation provisions.
901	Change provisions relating to the Nebraska Power Review Board and certain public utility districts and their governing board.

NEBRASKA RETIREMENT SYSTEMS

LB	
1192	Change retirement related membership, reporting, liability, disability, and bidding provisions.
1200	Change retirement provisions governing forfeitures, administrative expenses, and the crediting of funds.

REVENUE

LB	
967	Change the powers of the Tax Equalization and Review Commission for adjusting valuation of classes and subclasses of property.
968	Change provisions relating to revenue and taxation.
1066	Change provisions relating to motor fuel permits, licenses, penalties, filings, and exporters.
1138	Change provisions relating to state aid to political subdivisions.
1188	Change provisions relating to property taxation and the Property Tax Administrator.
1279	Change provisions relating to the Nebraska Budget Act and homestead exemptions.

TRANSPORTATION AND TELECOMMUNICATIONS

LB	
445*	Change motor vehicle operation provisions.
869	Adopt the Nebraska Telecommuting Act.
1018*	Change provisions relating to motor vehicle industry licensing.
1075	Change State Highway Commission meeting provisions.
1076	Change provisions relating to rotating or flashing lights on highway maintenance vehicles.
1077	Change provisions for payment of expenses for the Nebraska Railway Council.
1283	Change provisions relating to commercial motor vehicle operators.
1284	Regulate the payment of claims against railroads.
1285*	Change provisions relating to orders, fines, and penalties of the Public Service Commission.

1295	Change motor vehicle registration provisions for fleet vehicles.

URBAN AFFAIRS

LB	
739	Change provisions for handicapped or disabled parking permits.
741	Eliminate a fee relating to handicapped or disabled parking.
804	Adopt the Limited Purpose Sanitary and Improvement District Act.
1367	Change provisions for forming sanitary and improvement districts and deposit of funds.
1368	Change levy limitations with respect to sanitary and improvement districts.
1369	Change Severance Tax Fund provisions.
1370	Change provisions of the Volunteer Emergency Responders Recruitment and Retention Act.
1371	Change provisions of the Volunteer Emergency Responders Recruitment and Retention Act.

*	With others.
**	At the request of the Governor.
***	With others and at the request of the Governor.

LEGISLATIVE BILLS AND RESOLUTIONS HEARD BY COMMITTEE

NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

Agriculture

Chairperson - Merton L. Dierks

213
337
402
463
825
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Appropriations

Chairperson - Roger R. Wehrbein

38
239
347
464
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685
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875
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LR1CA
LR3

Banking, Commerce and Insurance

Chairperson - David M. Landis

63
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397
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Business and Labor

Chairperson - Floyd Vrtiska

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Education

Chairperson - Ardyce Bohlke

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LR20CA
LR23CA

Executive Board

Chairperson - George Coordsen

154
515
534
LR2CA
LR4CA
LR5CA
LR6CA
LR9CA
LR320

General Affairs

Chairperson - Ray Janssen

126
187
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LR289CA

Government, Military and Veterans Affairs

Chairperson - DiAnna Schimek

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LR8CA
LR13CA
LR287CA
LR294CA
LR298

Health and Human Services

Chairperson - Jim Jensen

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Judiciary

Chairperson - Kermit A. Brashear

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LR291CA
LR437

Natural Resources

Chairperson - Ed Schrock

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LR295
LR296
LR300
LR304

Nebraska Retirement Systems

Chairperson - Elaine Stuhr

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545
676
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773
831
1104
1192
1200

Revenue

Chairperson - William R. Wickersham

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LR293CA
LR299

Transportation and Telecommunications

Chairperson - Curt Bromm

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LR438

Urban Affairs

Chairperson - D. Paul Hartnett

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1371
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LR21CA

*Joint Committee

SUMMARY OF LEGISLATION

NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

The following table shows the final disposition

Length 60 days

Number of Bills Introduced (excluding "A" bills), 96th Legislature: 1449
1st Session: 883 2nd Session: 566
Number of Carryover Bills and Resolutions, 1st Session: 397
Number of "A" Bills Introduced, 96th Legislature: 132
1st Session: 77 2nd Session: 55
Number of Carryover "A" Bills: 12
Number of Resolutions Introduced, 96th Legislature: 504
1st Session: 282 2nd Session: 222
Number of CA Resolutions Introduced, 96th Legislature: 23
1st Session: 18 2nd Session: 5
Number of Carryover Resolutions: 12
Number of Resolutions Delivered to Secretary of State, 96th Legislature: 7
1st Session: 4 2nd Session: 3
Number of Bills to Become Law, 96th Legislature: 479
1st Session: 327 2nd Session: 152

Approved by Governor (144):
26
26A
55
74
151e
153e
153Ae
155e
204
213e
288
349
352e
352Ae
410
419
438
477
482
482A
495e
495Ae
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1379Ae
1399e
1410e
1410Ae
1427
1427A
1436e
1436Ae
1448e

Line-item Veto (6):
480A
957Ae
1008e
1217e*
1363A
1399Ae

Returned by Governor Without Approval (20):
171
289e
289A
414
414A
510
652e
652A
717
717A
729
922e
922Ae
925
925A
1092
1092A
1107
1401
1401A

Passed Notwithstanding Objections of Governor (2):
480
956

Became Law Without Governor's Signature: 0.

Failed on Final Reading: 0.

Resolutions Delivered to Secretary of State (3):
LR6CA
LR20CA
LR291CA

Indefinitely Postponed (852):
16
25
27
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298 Urge the Government of Japan to apologize for war crimes committed during World War II and to pay reparations.
(Preister, Brown, Price, Beutler, Connealy, Kiel, Schimek, Hilgert, Lynch, Hartnett, Suttle, Bourne, Wehrbein 331, 333, 371, 513, 1785

299 Memorialize Congress to propose an amendment to the U.S. Constitution limiting the Supreme Court and the federal courts with respect to levying taxes.
(Engel, Bromm, D. Pederson) 331, 371, 505, 819

300 Approve gift of land from the Nebraska Game and Parks Foundation to the Game and Parks Commission.
(Jones) 472, 473, 493, 505, 757, 1286, 1312

301 Recognize the photographic art of Earl McWilliams.

(Landis) 633, 760

302 Recognize the week of February 13-19, 2000, as Nebraska Country Elevator Week.
(Dierks) 640, 766

303 Congratulate David Schroeder for receiving the 2000 Prudential Spirit of Community Award.
(Connealy) 648, 766

304 Approve gift of land from the Game and Parks Foundation to the Game and Parks Commission.
(Jones) 768, 769, 795, 849, 899, 1099, 1286, 1312

305 Congratulate the Logan View High School wrestling team for the Class C state championship.
(Janssen) 784, 921

306 Recognize Charles and the late Margre Durham, former Governor Kay Orr, Ken Wortman, and Diane Nelson for their service to the State of Nebraska.
(Kristensen) 796, 921

307 Congratulate Taryn Retzlaff for receiving the 2000 Prudential Spirit of Community Award.
(Wickersham) 808, 921

308 Congratulate Reverend Howard and Mary Holverson on their 68th wedding anniversary.
(Price) 809, 921

309 Recognize March 8, 2000, as Armed Services Vocational Aptitude Battery (ASVAB 18/19) Career Exploration Program Day.
(Preister) 848, 938

310 Congratulate David Frayser for receiving the 2000 Prudential Spirit of Community Award.
(Crosby) 864, 1034

311 Support the implementation and expansion of Character Counts.
(Stuhr, Wehrbein) 911, 1085

312 Congratulate the Arlington High School girls' basketball team for winning the Class C-1 state championship.
(Connealy) 933, 1085

313 Congratulate the Creighton University men's basketball team for winning the Missouri Valley Conference championship.
(Kiel, Bourne, Hilgert, Hartnett, Thompson, Tyson, Wickersham) 934, 1085

314 Congratulate the South Sioux City High School girls' basketball team for winning the Class B state championship.
(Engel) 941, 1122

315 Congratulate the Falls City Sacred Heart High School girls' basketball team for winning the Class D-1 state championship.
(Vrtiska) 948, 1122

316 Congratulate Alan Harms for being selected the Nebraska High School Principal of the Year.

(Connealy) 948, 1122

317 Congratulate the Sandy Creek High School girls' basketball team for winning the Class C-2 state championship.
(Kremer) 1004, 1157

318 Congratulate the McCool Junction High School girls' basketball team for winning the Class D-2 state championship.
(Stuhr) 1016, 1157

319 Congratulate the Nemaha Valley High School Academic Decathlon Team for winning the Small Schools Division of the 2000 Academic Decathlon State Championship.
(Vrtiska) 1022, 1157

320 Provide the University meet requirements relating to employing women and minority faculty members.
(Suttle) 1030, 1031, 1077, 1095, 1785

321 Congratulate the Chester-Hubbell-Byron High School boys' basketball team for winning the Class D-2 state championship.
(Coordsen) 1035, 1157

322 Congratulate the Columbus Scotus Central Catholic High School girls' volleyball team for winning the Class C-1 state championship.
(Robak) 1035, 1157

323 Congratulate the Grand Island Central Catholic High School boys' basketball team for winning the Class C-1 state championship.
(Aguilar) 1052, 1157

324 Congratulate the Lincoln Piux X High School boys' basketball team for winning the Class B state championship.
(Crosby, Beutler) 1052, 1157

325 Congratulate the Humboldt/Table Rock-Steinauer High School boys' basketball team for winning the Class C-2 state championship.
(Vrtiska) 1053, 1157

326 Congratulate the Paxton High School boys' basketball team for winning the Class D-1 state championship.
(Matzke) 1056, 1157

327 Congratulate the Bellevue West High School boys' basketball team for winning the Class A state championship.
(Hartnett) 1056, 1157

328 Interim study to examine standards for attorneys appointed to represent indigent persons.
(Kristensen, Brashear) 1100, 1444

329 Interim study to examine designing an electronic state student information tracking system regarding postsecondary educational institutions.
(Wickersham, Bohlke) 1127, 1444

330 Interim study to identify mechanisms for ensuring equal access to advanced telecommunications services.

(Wickersham, Bromm) 1127, 1444
331 Interim study to examine issues relating to unsolicited electronic mail advertising.
(Redfield) 1141, 1444
332 Recognize Bob Allen for his commitment to postsecondary education and years of service on the Board of Regents of the University of Nebraska.
(Bohlke) 1142, 1396
333 Interim study of the statutory authority for additional construction delivery systems for public schools.
(Quandahl, Jensen, Schimek) 1189, 1444
334 Interim study of the Petroleum Release Remedial Action Act.
(Bromm) 1195, 1444
335 Interim study of the current status of the elevator inspection program in Nebraska.
(Cudaback) 1202, 1444
336 Interim study to review the General Principles of Sound Retirement Planning.
(Stuhr) 1204, 1444
337 Interim study to review the process by which members are nominated and selected to the Public Employees Retirement Board.
(Stuhr) 1204, 1444
338 Interim study of issues relating to Indian tribes in Nebraska.
(Schimek, Janssen, Lynch, Connealy, Hilgert, Bourne, Bohlke, Crosby, Schmitt, Cudaback, Robak) 1221, 1444
339 Interim study of issues relating to hazardous materials incidents.
(Byars) 1236, 1444
340 Interim study to examine the train mile tax, the gas tax, and the needs of the state in improving railroad crossings.
(Wickersham, Bromm) 1239, 1445
341 Interim study to identify all state or federal cemetery facilities available to veterans statewide.
(Wickersham, Wehrbein) 1245, 1445
342 Interim study to review the Employment and Investment Growth Act and the Quality Jobs Act.
(Revenue Committee) 1245, 1445
343 Interim study of the sales and use tax system.
(Revenue Committee) 1246, 1445
344 Interim study to examine the taxpayer appeal process through the Tax Equalization and Review Commission.
(Revenue Committee) 1247, 1445
345 Interim study to examine Nebraska's overall tax structure.
(Revenue Committee) 1247, 1445
346 Interim study to examine the property tax exemption standards and procedures.
(Wickersham, Redfield, Raikes) 1248, 1445
347 Interim study to examine the personal income tax system.

(Redfield, Wickersham, Raikes) 1248, 1445

348 Interim study to examine Nebraska's system of corporate occupation tax.
(Wickersham) 1249, 1445

349 Interim study to examine occupation taxes.
(Wickersham) 1249, 1445

350 Interim study of the Lottery Division of the Department of Revenue and the State Lottery Act.
(General Affairs Committee) 1258, 1445

351 Interim study to examine alternative options for increased availability of centers for independent living for disabled persons.
(Byars) 1287, 1445

352 Interim study relating to powers of the Nebraska Power Review Board with respect to holding hearings on matters under its statutory jurisdiction.
(Kremer) 1293, 1445

353 Interim study to examine issues relating to the cost of prescription drugs under the state Medicare program and the state medical assistance program.
(Jensen, Landis) 1294, 1445

354 Interim study to examine the implementation of the federal medicaid substance abuse and alcoholism option and the necessary waivers.
(Suttle) 1294, 1446

355 Interim study of the health plan grievance systems and managed care consumer protection.
(Suttle) 1295, 1446

356 Interim study of the regulation of child care centers.
(Suttle) 1295, 1446

357 Interim study of childhood immunizations and vaccines.
(Suttle) 1295, 1446

358 Interim study relating to early education.
(Suttle) 1296, 1446

359 Interim study of the penalties for trespassing on the property of public schools in this state.
(Suttle) 1296, 1446

360 Interim study of how state and local sales taxes are collected on motor vehicles sold by an owner compared to vehicles sold by a dealer.
(Suttle) 1296, 1446

361 Interim study of the extent to which health insurance policies cover prescription contraceptives.
(Suttle) 1297, 1446

362 Interim study relating to parents being held responsible for actions of their children and determination of compensation.
(Suttle) 1297, 1446

363 Interim study to examine quality control in nursing homes,

assisted living units, Alzheimer's special care units, and other special care units.
(Suttle) 1297, 1446

364 Interim study examining issues relating to end-of-life health care.
(Suttle) 1298, 1446

365 Interim study to examine the shortage of nurses in all levels of health care delivery in our state.
(Suttle) 1298, 1446

366 Interim study of importation of alcoholic liquor into the state for personal use.
(General Affairs Committee) 1298, 1446

367 Recognize Jack Mills for his service to Nebraska county government.
(Lynch, Vrtiska, Wehrbein, Thompson, Kristensen, Byars,
Cudaback, Engel) 1299, 1701, 1734

368 Interim study of statutes dealing with ground water transfers.
(Hudkins) 1299, 1447

369 Interim study to examine a plan to divert lead and other hazardous materials from landfills and the environment, and costs associated with the plan.
(Preister) 1308, 1447

370 Interim study to examine a plan to prevent contamination from entering waters of the state, and costs associated with the plan.
(Preister) 1308, 1447

371 Interim study to address problems associated with use of alcohol and tobacco by persons under the legal age.
(General Affairs Committee) 1309, 1447

372 Interim study relating to extraterritorial jurisdiction of municipalities.
(Dw. Pedersen) 1309, 1447

373 Interim study of the financial responsibilities of Nebraska's public electric utility industry relating to expenses of nuclear power plants.
(Schrock) 1314, 1447

374 Interim study to review the need to provide authority to the Department of Environmental Quality to accept voluntary fees paid by applicants for processing of permits.
(Schrock) 1314, 1447

375 Interim study of the financial and environmental implications of the removal of environmental contaminants from buildings.
(Schrock) 1314, 1447

376 Interim study of the powers of the Department of Environmental Quality relating to protection of cold water class A streams in Nebraska.
(Schrock) 1315, 1447

377 Interim study to examine the environmental effects of air

pollutants from agriculture processing facilities' wastewater treatment lagoons.
(Schrock) 1315, 1447

378 Interim study to examine axle weights, trailer combinations, and length limitations on the trucking industry.
(Schrock) 1315, 1447

379 Interim study to examine ways to enhance public awareness of the Nebraska Environmental Trust Act and its mission.
(Schrock) 1316, 1447

380 Interim study to examine current laws concerning mountain lions in Nebraska.
(Schrock) 1316, 1448

381 Interim study to examine possibilities of developing a water banking program.
(Schrock) 1316, 1448

382 Interim study of the effects of the use of MTBE in Nebraska on the environment.
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383 Interim study of solid waste collection services as they relate to the Integrated Solid Waste Management Act.
(Schrock) 1317, 1448

384 Interim study to examine the need to provide the Department of Environmental Quality with authority to assess administrative fines.
(Schrock) 1317, 1448

385 Interim study to review state statutes, regulations, and policies on scrap tire management and disposal.
(Schrock) 1318, 1448

386 Interim study to examine creation of an environmental stewardship program.
(Schrock) 1318, 1448

387 Interim study to examine whether the goals of the Integrated Solid Waste Management Act have been reached.
(Schrock) 1318, 1448

388 Interim study to determine an appropriate manner to evaluate the maintenance and replacement needs of K-12 public education buildings.
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389 Interim study to review the need for all passengers in vehicles driven by a provisional driver to wear seat belts.
(Thompson, Byars) 1319, 1448

390 Interim study to review the need for seat belts to be installed on school buses.
(Thompson, Byars) 1319, 1448

391 Interim study to examine allowing parents of infants to voluntarily abandon their child without parental prosecution if the child's health is not endangered.

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392 Interim study to review the need for hepatitis B and chicken pox vaccines for children entering day care.
(Thompson) 1320, 1449

393 Interim study to examine providing privileged communication in domestic violence or sexual abuse cases.
(Thompson) 1321, 1449

394 Interim study to examine the need for methamphetamine specific treatment.
(Thompson) 1321, 1449

395 Interim study to review how current substance abuse treatment dollars are being expended in Nebraska.
(Thompson) 1322, 1449

396 Interim study to examine the high incarceration rate of youth in juvenile correctional facilities.
(Thompson) 1322, 1449

397 Interim study to examine the effects of environmental tobacco smoke on public health.
(Thompson) 1323, 1449

398 Interim study to examine the feasibility of establishing an organ and tissue donor registry.
(Thompson) 1323, 1449

399 Interim study to examine the costs associated with the use of immunosuppressive medications by organ transplant recipients.
(Thompson) 1323, 1449

400 Interim study of the development of Children's Services Councils in Nebraska.
(Thompson, Suttle) 1324, 1449

401 Interim study to determine whether Nebraska should adopt the Uniform Principal and Income Act (1997) in place of Nebraska's version.
(Landis) 1324, 1449

402 Interim study of the provisions of the Delayed Deposit Services Licensing Act.
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403 Interim study of the licensing of insurance agents and brokers.
(Landis) 1325, 1449

404 Interim study of the impact of the enactment of S.900, known as the "Gramm-Leach-Bliley Financial Services Modernization Act" on the regulation of insurance.
(Landis) 1325, 1449

405 Interim study of the provisions of the Public Funds Deposit Security Act.
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406 Interim study to examine what the State of Nebraska can do relative to Gulf War Syndrome.
(Hilgert, Quandahl) 1326, 1450

407 Interim study to examine creating a program by which certain

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408 Interim study to examine allowing triple-trailer towing in Nebraska.
(Hilgert) 1327, 1450

409 Interim study of the status of the lodging tax, the amount of revenue it generates, and the manner which that revenue is used.
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410 Interim study to review matters and issues under the jurisdiction of the Urban Affairs Committee.
(Hartnett) 1328, 1450

411 Interim study to examine potential sources of revenue for sanitary and improvement districts.
(Hartnett) 1329, 1450

412 Interim study to examine the status of benefits to be provided to long-term State Patrol retirees.
(Hartnett) 1329, 1450

413 Interim study to determine whether cities and villages should adopt some or all of the 2000 International Codes as their building codes.
(Hartnett) 1330, 1450

414 Interim study to up-date the work of a task force study of historic preservation.
(Hartnett) 1331, 1450

415 Interim study to determine whether the definition of earnings should be amended relating to bankruptcy proceedings.
(Brashear) 1331, 1450

416 Interim study of civil protective custody statutes as they relate to individuals who are intoxicated and dangerous to themselves or others.
(Brashear, Dierks) 1332, 1450

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420 Interim study to examine implementation and funding authority for municipalities to comply with federal mandates requiring development of storm water management programs.
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421 Interim study of the issues surrounding the prevention of fires near railroad tracks.

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422 Interim study of the issues surrounding the time frame in which claims against railroads are accepted and denied.
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423 Interim study to review the extent to which office and other space is leased to house agencies of state government.
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424 Interim study to review changes in population, traffic, and state and federal funding policies and priorities, relating to the state's highway needs.
(Bromm, Thompson, Hartnett, Bruning, Byars) 1346, 1451

425 Interim study dealing with issues relating to annexation of territory within a Class III school district by another school district.
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426 Interim study to determine appropriate enforcement mechanisms for privately posted speed limits on private property.
(Dw. Pedersen) 1347, 1451

427 Interim study to investigate issues concerning the use of traffic enforcement systems, including photo monitoring devices.
(Engel, Matzke, Brown, Quandahl) 1347, 1451

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429 Interim study to examine the existing definition of the crime of burglary.
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430 Interim study to examine ways the Tax Equity and Educational Opportunities Support Act can increase local districts' options for offering competitive salaries to teachers.
(Raikes) 1351, 1452

431 Interim study to examine issues under the jurisdiction of the Education Committee.
(Bohlke) 1351, 1452

432 Interim study to reexamine the role of the groups working with educational service units.
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433 Interim study to examine establishing a Nebraska voluntary sentencing guidelines commission.
(Thompson) 1352, 1452

434 Interim study to examine the current policy of charging sales tax on postage for delivery of printed materials, especially circulars and fliers.
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435 Interim study to examine issues relating to territorial rating for automobile liability insurance.

(Preister) 1353, 1452

436 Interim study of joint law enforcement and community projects to reduce gun violence.
(Kiel) 1353, 1452

437 Extend sympathy to all individuals who have suffered due to gun violence in the State of Nebraska.
(Kiel) 1354, 1438, 1444, 1480, 1785

438 Rename the Nebraska portion of Interstate I-80 as the "I-80 Purple Heart Trail".
(Kiel) 1354, 1403, 1420, 1464, 1785

439 Interim study to review funding sources provided to the Department of Health and Human Services Regulation and Licensure licensed facilities that provide alternative care.
(Schimek, Hilgert) 1355, 1452

440 Interim study to examine alternate ways of distributing state aid to municipalities, counties, and natural resources districts.
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441 Interim study of the operating structure and legal authority of diversion programs for traffic offenses.
(Brashear, Schmitt, Robak) 1356, 1452

442 Interim study to review the availability and quality of long-term care for Nebraskans with Alzheimer's disease.
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443 Interim study relating to teacher salaries.
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444 Interim study to examine the status of school facilities in districts that primarily serve students residing on Indian land.
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445 Interim study to examine funding for the air quality permit program administered by the Department of Environmental Quality and caps on emissions fees.
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446 Interim study of the issues surrounding the management and personnel structure and manpower needs of the Department of Roads.
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447 Interim study of the electric utility industry.
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449 Interim study of the public policy and implications of a Pay-for-Stay program in county and state incarceration facilities
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450 Interim study of the implications of requiring assessment of zoning and land use planners through certification, licensing, or registration systems.

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455 Interim study to examine the prevalence of "ledger" contracts in livestock procurement.
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456 Interim study to examine the potential of the Internet to enhance farmers ability to access markets.
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457 Interim study to examine creating a compact among agricultural states to fund a state agricultural legislative clearinghouse to create a library of common state laws.
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458 Interim study of issues relating to the ownership of agricultural germ plasm and the performing and funding of genetic and biotechnology research.
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459 Interim study to examine retaining some manner of price discrimination protection for Nebraska livestock producers.
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460 Interim study to examine opportunities for producers and processors to collaborate in bringing greater value to agricultural production and enhancing farm income.
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461 Interim study to examine recodification of statutes relating to the Public Service Commission.
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462 Interim study relating to the frequency of reissuance of license plates.
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463 Interim study of the issues surrounding the theft of telecommunications services.
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464 Interim study of the implications of authorizing the state to enforce child care expenses under child support orders.
(Bromm) 1367, 1454

465 Interim study of the issues surrounding the funding of railroad crossing safety improvement projects.

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466 Interim study of issues surrounding the liability and legal obligations for railroad crossing safety.
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467 Interim study to examine increasing the application fees and hearing fees charged by the Public Service Commission.
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468 Interim study to examine the recruitment and retention of carrier enforcement officers.
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470 Interim study to examine issues relating to the certificate of need program and the growing number of health care facilities.
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471 Interim study to examine health and human services issues.
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472 Interim study of the effect of obesity on costly health complications in both adults and children.
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473 Interim study to examine issues associated with providing a state-of-the-art driver's license and identification card system utilizing digital technology.
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474 Interim study to examine state policies relating to career preparation and technical education programs in Nebraska.
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475 Interim study to examine the Farm Labor Contractors Act.
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476 Interim study of the federal Workforce Investment Act which will replace the Job Training Partnership Act on July 1, 2000.
(Business and Labor Committee) 1376, 1455

477 Interim study of the concept of drug-free workplace legislation for purposes of a workers' compensation insurance premium reduction.
(Business and Labor Committee) 1376, 1455

478 Interim study of the issue of genetic discrimination.
(Business and Labor Committee) 1376, 1455

479 Interim study of the workers' compensation and unemployment compensation laws of Nebraska.
(Business and Labor Committee) 1377, 1455

480 Interim study to examine certain aspects of the Nebraska workers' compensation system.
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481 Interim study to examine issues relating to joint custody options.

(Crosby) 1378, 1455

482 Recognize Jacqueline Spahn for being selected the Nebraska Mothers Association's Young Mother Representative for 2000 and the Nebraska Mothers Association.
(Landis) 1378, 1539

483 Interim study of the impact of the enactment of S. 900, known as the "Gramm-Leach-Bliley Financial Services Modernization Act," on the regulation of financial services by the State of Nebraska
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484 Interim study to examine natural gas service in Nebraska municipalities.
(Hartnett) 1379, 1456

485 Interim study to review statutes governing the structure and operations of various classes of municipalities.
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486 Interim study relating to volunteer emergency medical response personnel and volunteer firefighters.
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487 Interim study relating to the University of Nebraska's commitment to the Institute of Agriculture and Natural Resources, and current and future funding.
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488 Interim study to conduct a costs-benefits analysis of extending subsidized adoption coverage to include less restrictive levels of care for special-needs foster children.
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(Kristensen) 1393, 1456

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491 Commend Cliff Hillegass for the extraordinary and generous support he has given to education, sports, and the arts in Nebraska.
(Crosby) 1516, 1701

492 Congratulate Justin Weyer on his receipt of the Board of Trustees Scholarship to Wayne State College.
(Vrtiska) 1532, 1701

493 Congratulate Tiffany Georges for receiving the 2000 Prudential Spirit of community Award.
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495 Authorize the University of Nebraska to issue revenue bonds for facilities on the Lincoln and Kearney campuses.
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498 Interim study relating to resolution of disputes involving the fairness of lease terms between agricultural tenants occupying lands owned by railroads.
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499 Request the Attorney General to take action to obtain compliance with Section 29-1401 or obtain judicial determination of the validity.
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500 Interim study to examine whether the Nebraska Ethanol Board's emphasis on opening new markets and promoting ethanol is an effective use of state resources.
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501 Congratulate Clarence Schmitt on being named the 2000 Outstanding Older Adult for the State of Nebraska.
(Connealy) 1725, 1777, 1778
502 Congratulate Lester and Violet Brady on their 65th wedding anniversary.
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503 Interim study to examine mechanisms for returning inappropriate or excessive telecommunications charges to ratepayers.
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504 Recognize members of the Heartland Community School's Future Business Leaders of America and their advisor, Ken Schultz, for winning 51 state awards.
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NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

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Compiled by

Patrick J. O'Donnell
Clerk of the Legislature

Carol Koranda, Index Clerk

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BILLS AND CONSTITUTIONAL AMENDMENT RESOLUTIONS
NINETY-SIXTH LEGISLATURE
SECOND SESSION
2000

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Medical assistance: provide for assistance for persons with a medically improved disability (Robak, Crosby, Suttle) 1051
Medical assistance: provide for use of certain funds for the program (Speaker Kristensen, at the request of the Governor) 1215
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Comprehensive Community Mental Health Services Act, Nebr.: change provisions for programs and services and require bidding (Dw. Pedersen)........................ 1264
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Early Childhood Interagency Coordinating Council: create and eliminate certain committees (Brown)........................ 1231
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13-503	A	968
13-503	A	1116
13-503	A	1191
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13-504	A	1279
13-508	A	1213
13-508	A	1447
13-509	A	949
13-510	A	1116
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13-519	A	941
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13-801	A	94
13-801	A	503
13-808	A	1418
13-910	A	254
13-910	A	282
13-910	A	591
13-918	A	1116
13-919	A	1205
13-920	A	1205
13-1101	A	549
13-1102	A	69
13-1102	A	558
13-1103	A	1128
13-1203	A	344
13-1504	A	265
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13-2202	A	1191
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14-102	A	905
14-109	A	941
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14-1726	A	1129
14-2103	A	725
14-2112	A	725
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14-2122	A	725
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14-2139	A	237
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15-203	A	941
15-255	A	476
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16-226	A	905
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17-104	A	409
17-107	A	1159
17-120	A	905
17-207	A	905
17-208	A	1159
17-301	A	409
17-303	A	409
17-525	A	941
17-541	A	409
17-556	A	476
17-563	A	1079
17-614	A	409
17-801	A	1198
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18-1736	A	370
18-1736	A	739
18-1736	A	991
18-1737	A	370
18-1737	A	739
18-1737	A	991
18-1738	A	428
18-1738	A	739
18-1738	A	1115
18-1738.01	A	428
18-1738.01	A	739
18-1740	A	428
18-1740	A	741
18-1741	A	428
18-1741	A	739
18-1741.01	A	265
18-1741.01	A	370
18-1741.01	A	739
18-1741.03	A	265
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19-3002	A	1199
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19-4017.01	A	1428
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23-2301	A	803
23-2301	A	1192
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23-2306	A	1192
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23-2312	A	1192
23-2319.01	A	1200
23-2323.03	A	803
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28-440 to 28-442	A	797
28-440	A	1102
28-441	A	742
28-441	A	1102
28-442	A	742
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28-443	A	1102
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28-507	A	1201
28-511.01	A	751
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31-509	A	900
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31-516	A	900
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32-816	A	695
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32-912	A	695
32-912	A	1106
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32-1007	A	935
32-1007	A	1447
32-1036	A	1265
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32-1409	A	433
32-1412	A	729
32-1547	A	695
32-1549	A	265
32-1603	A	1265
32-1604	A	1265
32-1608	A	1265
32-1611	A	1265
33-101	A	1068
33-105	A	900
33-106	A	824
33-106.02	A	414
33-106.03	A	1165
33-109	A	1446
33-110	A	399
33-112	R	1446
33-117	A	265
33-119	A	265
33-120	A	265
33-124	A	1166
33-130	A	1446
33-135.01	A	265
33-139.01	R	185
35-107	A	1129
35-108	A	1156
35-1207	A	1370
35-1301 to 35-1303	A	1370
35-1301 to 35-1303	A	1371
35-1303	A	968
35-1311	A	1370
35-1311	A	1371
35-1315	A	1370
35-1315	A	1371
35-1316	A	1370
35-1316	A	1371
37-101	A	1395
37-102	A	1395
37-110	A	793
37-201	A	335
37-201	A	788
37-201	A	793
37-201	A	1286
37-201	A	1393
37-202	A	793
37-209	A	793
37-218	A	793
37-219	A	793
37-226	A	793
37-226	A	1053
37-227	A	793
37-229	A	793
37-239	A	793
37-246	A	793
37-248	A	793
37-303	A	701
37-303	A	793
37-314	A	793
37-323	A	793
37-327	A	793
37-404 to 37-406	A	793
37-408 to 37-411	A	793
37-415	A	793
37-416	A	793
37-420	A	980
37-421	A	980
37-422	A	793
37-426	A	793
37-427	A	793
37-429 to 37-431	A	793
37-434 to 37-436	A	793
37-438 to 37-440	A	793
37-438	A	1184
37-438	A	1350
37-438	A	1370
37-439	A	1184
37-439	A	1350
37-443 to 37-447	A	793
37-446	A	1370
37-452	A	793
37-455	A	283
37-457	A	793
37-458	A	793
37-462 to 37-469	A	793
37-471	A	793
37-472 to 37-474	R	793
37-475 to 37-483	A	793
37-495	A	793
37-503	A	793
37-504	A	793

SECTION	REPEAL OR AMEND	BILL
37-506	A	793
37-508	A	793
37-514	A	793
37-525	A	793
37-527	A	793
37-536	A	793
37-538	A	980
37-540	A	793
37-547 to 37-550	A	793
37-556	A	793
37-560	A	793
37-561	A	1053
37-564	A	1053
37-601	A	793
37-602	A	793
37-604	A	793
37-607	A	793
37-613	A	793
37-613	A	1053
37-614	A	793
37-617	A	793
37-619	A	793
37-622	A	793
37-706	A	793
37-724	A	793
37-726	A	793
37-728	A	793
37-801	A	1286
37-807	A	1286
37-811	A	793
37-1001	A	793
37-1011 to 37-1014	A	701
37-1214	A	793
37-1226	A	793
37-1228	A	793
37-1254.01	A	235
37-1254.01	A	797
37-1254.02	A	235
37-1254.02	A	793
37-1254.06	A	819
37-1254.06	A	1115
37-1254.07	A	797
37-1278	A	1317
37-1278.01	A	1317
39-102	A	344
39-103	A	344
39-202	A	344
39-204	A	344
39-311	A	265
39-529	A	654
39-841	A	1128
39-892	A	344
39-1101	A	344
39-1108	A	1075
39-1110	A	344
39-1110	A	1135
39-1302	A	344
39-1345.01	A	1239
39-1632	A	1128
39-1713 to 39-1719	A	705
39-2120	A	1320
39-2121	A	1320
39-2201	A	796
39-2201	A	1135

SECTION	REPEAL OR AMEND	BILL
39-2202	R	1135
39-2207	A	1128
39-2215 to 39-2216	A	183
39-2215	A	344
39-2215	A	1320
39-2215	A	1445
39-2220	R	1135
39-2223	A	796
39-2501	A	1320
39-2508	A	1320
39-2509	A	1320
39-2519	A	1320
39-2602	A	344
42-101	A	513
42-102	A	399
42-104	A	399
42-107	A	399
42-108	A	414
42-113	A	399
42-117	A	513
42-347	A	972
42-347	A	1296
42-357	A	972
42-357	A	1296
42-358	A	972
42-358	A	1296
42-358.01	A	972
42-358.01	A	1296
42-358.02	A	972
42-358.02	A	1296
42-364	A	120
42-364.01	A	972
42-364.01	A	1296
42-364.13	A	972
42-364.13	A	1296
42-364.15	A	899
42-364.15	A	972
42-364.15	A	1296
42-364.16	A	612
42-369	A	972
42-369	A	1296
42-371.01	A	972
42-371.01	A	1296
42-372	A	921
42-372.01	A	921
42-924	A	1422
43-111	A	98
43-112	A	824
43-245	A	819
43-245	A	1392
43-246	A	374
43-247	A	374
43-247	A	852
43-248	A	852
43-250	A	852
43-250	A	1392
43-251	A	852
43-251	A	1392
43-251.01	A	1392
43-252	R	159
43-253	A	1392
43-254	A	1392
43-254.01	A	852
43-258	A	1392
43-259	A	1392
43-272	A	223

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43-272.01	A	223	43-2610	R	1231
43-272.01	A	1392	43-2611	R	1231
43-276	A	1392	to 43-2614		
43-277.01	A	852	43-2615	R	1231
43-279	A	159	43-2620	A	1231
43-279	A	940	43-3321	A	188
43-284	A	1392	43-3341	A	972
43-284	A	1406	43-3341	A	1296
43-286	A	1392	43-3342	A	972
43-287.05	A	824	43-3342	A	1296
43-290	A	376	43-3344	A	972
43-290	A	609	43-3344	R	972
43-290	A	1392	43-3344	A	1296
43-2,101	R	609	43-3344	R	1296
43-2,101	A	1392	43-3346	A	972
43-2,106.01	A	824	43-3346	A	1296
43-2,108	A	852	43-3347	A	972
43-2,110	A	850	43-3347	A	1296
43-2,113	A	120	44-120	A	551
43-2,119	A	219	44-121	A	551
43-2,123	A	414	44-124	A	551
43-2,129	A	1392	44-133	A	551
43-2,130	R	894	44-134	A	551
43-403	A	1392	44-208.05	A	551
43-404	A	850	44-3,123	A	551
43-413	A	1392	44-3,153	A	1119
43-507	R	819	44-401	A	930
43-512	A	972	44-409	A	930
43-512	A	1296	44-522	A	1119
43-512.07	A	972	44-526	A	819
43-512.07	A	1296	44-707.01	R	930
43-801	A	1091	to 44-707.04		
43-1414	A	736	44-771	A	819
43-1701	A	972	44-772	A	819
43-1701	A	1296	44-782	A	819
43-1703	A	972	44-1206	A	930
43-1703	A	1296	44-1206.01	A	551
43-1718	A	972	44-1525	A	551
43-1718	A	1296	44-1989	A	551
43-1718.02	A	972	44-19,120	A	551
43-1718.02	A	1296	44-2148	A	551
43-1723	A	972	44-2403	A	551
43-1723	A	1296	44-2406	A	551
43-1727	A	972	44-2407	A	930
43-1727	A	1296	44-2409	A	551
43-1729	A	972	44-2708	A	930
43-1729	A	1296	44-2710	A	551
43-1741	A	972	44-2716	A	930
43-1741	A	1296	44-2806	A	819
43-1802	A	98	44-2812	R	1135
43-2401	A	1164	44-2814	A	1135
to 43-2406			44-2815	R	1135
43-2401	A	1165	44-2825	A	840
43-2406	A	1165	44-2827	A	1135
43-2407	R	1164	44-2827.01	A	819
43-2408	A	1164	44-2829	A	840
43-2409	A	1164	44-2829	A	1135
43-2410	R	1164	44-2830	A	840
43-2411	A	1164	44-2832	A	1135
to 43-2413			44-2835	A	1135
43-2412	A	1392	44-2837	R	1135
43-2414	R	1164	44-2838	R	1135
43-2505	A	1231	44-2839	R	1135
43-2506	R	1231	44-2847	A	1115
43-2606	A	735	44-2909	A	1119
43-2607	A	1307	44-32,134	A	930
43-2610	R	1135	44-32,139	A	551

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44-32,160	A	551
44-32,161	A	551
44-3323	A	551
44-3602 to 44-3604	A	1248
44-3607	A	1248
44-3822	A	551
44-4202 to 44-4217	A	1208
44-4219 to 44-4222	A	1208
44-4224 to 44-4228	A	1208
44-4230	A	1208
44-4233	A	1208
44-4501	A	954
44-4504	A	954
44-4509	A	954
44-4515	A	954
44-4516	A	954
44-4601 to 44-4607	R	1119
44-4723	A	551
44-4801 to 44-4862	R	551
44-4908	A	551
44-5001 to 44-5019	R	1119
44-5016	A	1221
44-5018	A	397
44-5019	A	1127
44-5020	R	1119
44-5021 to 44-5039	R	1119
44-5223	A	1121
44-5225	A	1121
44-5231	R	1135
44-5246.02	A	1121
44-5261	A	1135
44-5263	A	1135
44-5418	A	819
44-5611	A	551
44-5706	A	551
44-6018	A	551
44-6019	A	551
44-6022	A	551
44-6023	A	551
44-6118	A	551
44-6125	A	551
44-6412	A	1060
44-6603	A	1209
44-6606	A	1209
44-6826 to 44-6832	A	555
44-6827	A	819
44-6901	A	1121
44-6915	A	1121
44-7002 to 44-7012	A	555
44-7003	A	819
44-7012 to 44-7111	A	555
44-7103	A	819
44-7202 to 44-7214	A	555
44-7203	A	819

SECTION	REPEAL OR AMEND	BILL
44-7301 to 44-7315	A	555
44-7303	A	819
44-7306	A	995
45-101.03	A	1318
45-102	A	1318
45-103	A	921
45-104	A	1318
45-116	A	1148
45-137	A	932
45-205	A	932
45-337	A	932
45-717	A	932
45-919	A	932
46-106	A	900
46-122	A	671
46-122	A	672
46-122	A	900
46-154	A	823
46-190	A	900
46-192	A	900
46-193	A	900
46-199	A	900
46-1,106	A	1128
46-1,155	A	900
46-1,157	A	900
46-205	A	900
46-208 to 46-210	A	900
46-212	A	900
46-212.01	A	900
46-212.02	R	900
46-213	A	900
46-215 to 46-219	A	900
46-226	A	900
46-226.03	A	900
46-227	A	900
46-229	A	671
46-229	A	672
46-229	A	900
46-229.01	A	900
46-229.04	A	900
46-229.05	A	900
46-230	A	900
46-231	A	902
46-233	A	900
46-233.01	A	900
46-234	A	900
46-235	A	900
46-235.02 to 46-238	A	900
46-240.01 to 46-242	A	900
46-250	A	900
46-252	A	900
46-254	A	900
46-256 to 46-258	A	900
46-261	A	900
46-263.02	A	900
46-270	A	900
46-270	A	1128
46-273	A	900
46-277	A	900
46-278	A	900

SECTION	REPEAL OR AMEND	BILL
46-288 to 46-296	A	900
46-294	A	902
46-2,101	A	900
46-2,105	A	900
46-2,108 to 46-2,115	A	900
46-2,116.01 to 46-2,120	A	900
46-2,122 to 46-2,125	A	900
46-2,128	A	900
46-2,130	A	900
46-302 to 46-305	A	900
46-312	A	900
46-315	A	900
46-514	A	900
46-516	A	900
46-541	A	900
46-583	A	900
46-602	A	900
46-602	R	1112
46-602.01	A	1112
46-604	A	900
46-604	A	1112
46-606	A	900
46-606	A	1112
46-610	A	900
46-613.01	A	900
46-613.02	A	900
46-636	A	903
46-637 to 46-642	A	900
46-637	A	902
46-637	A	903
46-637	A	1112
46-644 to 46-646	A	900
46-648	A	900
46-649	A	900
46-653	A	900
46-654	A	900
46-656.01	A	1355
46-656.01	A	1356
46-656.05	A	900
46-656.05	A	1135
46-656.07	A	900
46-656.07	A	1112
46-656.12	A	900
46-656.14 to 46-656.16	A	900
46-656.17	A	1138
46-656.19	A	900
46-656.25	A	900
46-656.25	A	904
46-656.25	A	1112
46-656.26	A	904
46-656.27	A	904
46-656.28	A	900
46-656.30	A	900
46-656.31	A	900
46-656.31	A	1112
46-656.33	A	900
46-656.38	A	900
46-656.40	A	900
46-656.50 to 46-656.63	A	900
46-656.60	A	1135
46-656.61	R	1135
46-656.65 to 46-656.67	A	900
46-676	A	900
46-678.01	A	900
46-686.01	A	900
46-691	A	900
46-692	A	900
46-692	A	1069
46-701 to 46-704	A	900
46-801 to 46-804	A	900
46-1001	A	900
46-1004	A	900
46-1005	A	900
46-1011	A	900
46-1023	A	900
46-1201	A	1220
46-1204.01	A	900
46-1204.01	A	1112
46-1214.01	A	939
46-1217	A	900
46-1224	A	900
46-1224	A	1112
46-1227	A	1112
46-1229	A	939
46-1229	A	1112
46-1233	A	939
46-1233	A	1112
46-1235	A	939
46-1238	A	939
46-1238	A	1112
46-1239	A	939
46-1239	A	1112
46-1240	A	939
46-1241	A	1112
46-1401	A	900
46-1403	A	900
46-1404	A	900
47-119	A	1081
47-119.01	A	1081
47-121	A	998
47-601 to 47-618	R	321
47-601	R	1435
47-602	R	1435
47-603	A	467
47-603	R	1435
47-604 to 47-618	R	1435
48-118	A	1221
48-121	A	1309
48-122.01	A	1221
48-124	A	1221
48-128	A	1221
48-144.04	A	1221
48-146.01	A	930
48-151	A	1119
48-153	A	1269
48-155	A	1221
48-162.01	A	1221
48-162.02	A	1221
48-165	A	1309

SECTION	REPEAL OR AMEND	BILL
48-172	A	1309
48-174	A	1221
48-179	A	1221
48-195	A	1221
48-196	A	1221
48-1,107	A	1221
48-1,110	A	1309
48-225	A	604
48-232	A	797
48-302.01	A	1123
48-303	A	1123
48-303	A	1447
48-310	A	1123
48-418.02 to 48-418.04	A	1312
48-418.06	A	1312
48-418.07	A	1312
48-418.10	A	1312
48-418.11	A	1312
48-418.12	A	1384
48-418.14	A	1312
48-446	A	1119
48-446	A	1123
48-524	A	558
48-604	A	1295
48-604	A	1311
48-606.01	A	953
48-610	R	1135
48-617	A	953
48-618	A	953
48-619	A	953
48-621	A	953
48-621	A	1305
48-622.01	A	1135
48-622.03	A	1135
48-628	A	953
48-628.03	A	953
48-649	A	1135
48-652	A	915
48-652	A	953
48-655	A	953
48-656	A	897
48-818	A	1342
48-824	A	1310
48-838	A	1007
48-1001 to 48-1010	R	558
48-1101 to 48-1107	A	69
48-1101	A	558
48-1102	A	558
48-1102	A	797
48-1104 to 48-1107	A	558
48-1107.02	A	69
48-1107.02	A	558
48-1108	A	69
48-1108	A	558
48-1109	R	69
48-1110 to 48-1126	A	69
48-1111	A	558
48-1113 to 48-1119	A	558
48-1122 to 48-1126	A	558

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48-1219 to 48-1227.01	R	558
48-1401	A	1104
48-1601 to 48-1615	R	1257
48-1902	A	797
48-1903	A	1115
49-501.01	A	534
49-502	A	414
49-503	A	534
49-506	A	344
49-506	A	534
49-506	A	900
49-506	A	1085
49-507	A	534
49-509	A	534
49-509.01	A	534
49-617	A	900
49-617	A	1085
49-801	A	265
49-801	A	316
49-801	A	414
49-801	A	587
49-801.01	A	944
49-805.01	A	508
49-805.01	A	836
49-1401	A	438
49-1401	A	455
49-1401	A	1021
49-1401	A	1196
49-1401	A	1288
49-1403	A	1196
49-1423	A	455
49-1423	A	1021
49-1447	A	1288
49-1453	A	1288
49-1455	A	1196
49-1458	A	438
49-1463.01	A	438
49-1463.01	A	1288
49-1466	A	1288
49-1469.01 to 49-1469.03	R	905
49-1478	A	1196
49-1489	A	1021
49-1490	A	455
49-1490	A	1021
49-1492	A	156
49-1493	A	660
49-1493	A	1021
49-1496	A	1021
49-1499	A	455
49-1499.01	A	455
49-14,101	A	455
49-14,103.01	A	455
49-14,103.02	A	455
49-14,103.07	A	455
49-14,123	A	1288
49-1601 to 49-1603	R	887
50-114.01	A	534
50-439 to 50-442	R	890
50-1101	A	154
51-805	A	968
52-401	A	1189
52-1504	A	265

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53-101	A	790
53-101	A	979
53-101	A	1130
53-101	A	1187
53-103	A	1346
53-105	A	431
53-105	A	529
53-106	A	431
53-106	A	529
53-107	A	431
53-112	A	431
53-113	A	431
53-117	A	265
53-117	A	979
53-117.02	A	979
53-117.07	A	979
53-117.08	A	979
53-118	A	790
53-122	A	1346
53-123.04	A	1346
53-124	A	1346
53-124.12	A	1346
53-124.14	A	1346
53-125	A	265
53-131	A	1346
53-133	A	979
53-134	A	265
53-134	A	1346
53-160	A	1187
53-167.02	A	265
53-167.03	A	265
53-168	A	913
53-179	A	912
53-180.02	A	126
53-180.02	A	975
53-180.02	A	1130
53-180.04	A	126
53-180.04	A	1130
53-180.05	A	126
53-180.05	A	1130
53-180.06	A	577
53-180.07	A	265
53-180.07	A	577
53-180.07	A	1034
53-186	A	445
53-186	A	586
53-192	A	973
53-194.03	A	281
53-194.03	R	790
53-197	A	265
53-1,104	A	126
53-1,104	A	678
53-1,104	A	1034
53-1,104	A	1094
53-1,104	A	1171
53-1,115	A	979
53-1,121	A	1325
54-101	A	213
54-101.01	A	213
54-129	A	265
54-155	A	265
54-170	A	1052
54-304	A	265
54-701	A	1280
54-701.02	A	1280
54-701.03	A	1280
54-704	A	1280
54-744	A	1280
54-746	A	1280
54-1185	A	1009
54-2014	A	1009
54-2404	A	1426
54-2404.02	A	900
54-2411	A	1359
54-2412	A	900
55-480	A	1118
56-101	A	900
57-239	A	1188
57-501 to 57-506	A	999
57-705	A	1369
58-212	A	819
58-401 to 58-442	R	1135
58-703	A	1135
58-704	R	1135
58-709	A	1135
60-102	A	1090
60-106	A	1090
60-106	A	1188
60-106	A	1317
60-108	A	991
60-110	A	398
60-111.01	A	1317
60-112	A	398
60-117	A	641
60-117	A	991
60-117	A	1090
60-119	A	265
60-122	A	265
60-125	A	265
60-129	A	525
60-130	A	525
60-301	A	133
60-301	A	188
60-301	A	504
60-301	A	991
60-301	A	1287
60-302	A	300
60-302	A	733
60-302	A	951
60-302	A	1012
60-302	A	1218
60-302.03	A	733
60-304	A	29
60-304	A	991
60-305.04	A	991
60-305.09	A	1295
60-305.16	A	991
60-305.17	A	1295
60-308	A	1317
60-310	A	991
60-311	A	30
60-311	A	80
60-311	A	654
60-311	A	910
60-311	A	991
60-311	A	1287
60-311	A	1373
60-311.01	A	1373
60-311.02	A	991
60-311.03	A	207
60-311.03	A	275
60-311.03	A	991

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60-311.04	A	207	60-497.03	A	188
60-311.04	A	275	60-499	A	188
60-311.04	A	991	60-4,100	A	188
60-311.05	A	991	60-4,100	A	265
60-311.08	A	207	60-4,100	A	361
60-311.08	A	275	60-4,102	A	188
60-311.08	A	991	60-4,103	A	188
60-311.09	A	207	60-4,106	A	188
60-311.09	A	275	60-4,108	A	188
60-311.09	A	991	60-4,108	A	445
60-311.12	A	991	60-4,108	A	1065
60-311.13	A	991	60-4,108	A	1282
60-311.14	A	25	60-4,109	A	188
60-311.14	A	991	60-4,109	A	1282
60-311.16	A	991	60-4,110	A	1026
60-311.20	A	641	60-4,117	A	188
60-311.21	A	991	60-4,117	A	969
60-311.22	A	1373	60-4,118	A	265
60-311.23	A	991	60-4,118	A	1322
60-311.25	A	991	60-4,120.01	A	1322
60-312	A	1218	60-4,120.02	A	188
60-314	A	1090	60-4,122	A	1322
60-315	A	991	60-4,124	A	1322
60-315	A	1431	60-4,125	A	188
60-315.01	A	991	60-4,130	A	265
60-320	A	643	60-4,130.03	A	188
60-320	A	991	60-4,137	A	1283
60-320.01	A	906	60-4,139	A	1283
60-321	A	584	60-4,141.01	A	188
60-321	A	768	60-4,142	A	1283
60-321	A	780	60-4,144	A	969
60-321	A	991	60-4,144	A	1317
60-321	A	1186	60-4,146.01	A	1146
60-321	A	1218	60-4,149.01	A	1322
60-323	A	991	60-4,151	A	969
60-324	A	991	60-4,164.01	A	819
60-325	A	265	60-4,164.01	A	1115
60-330.02	A	133	60-4,170	A	265
60-331	A	991	60-4,171	A	188
60-331.03	A	991	60-4,181	A	969
60-334	A	133	60-4,181	A	1317
60-334	A	991	60-4,182	A	235
60-335	A	991	60-4,182	A	356
60-345	A	991	60-4,182	A	445
60-462	A	188	60-4,184	A	265
60-463	A	188	60-4,185	A	188
60-465	A	1129	60-501	A	1218
60-471	A	1287	60-501	A	1287
60-476.02	A	188	60-502	A	768
60-479	A	188	60-502	A	780
60-480	A	1322	60-502	A	1218
60-480.01	A	29	60-503	A	264
60-483	A	756	60-503	A	768
60-483	A	1019	60-503	A	780
60-483	A	1317	60-504	A	768
60-484	A	361	60-504	A	780
60-484	A	969	60-504	A	1218
60-484	A	1317	60-505.02	A	188
60-484	A	1322	60-505.02	A	264
60-486	A	361	60-511	A	768
60-489	A	265	60-511	A	780
60-491	A	188	60-511	A	1218
60-493	A	969	60-512	A	768
60-494	A	969	60-512	A	780
60-496	A	188	60-512	A	1218
60-497	A	188	60-513	A	768
60-497.01	A	188	60-513	A	780

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60-513	A	1218
60-514	A	768
60-514	A	780
60-514	A	1218
60-519	A	264
60-520	A	768
60-520	A	780
60-520	A	1218
60-522	A	264
60-523	A	264
60-523	A	768
60-523	A	780
60-523	A	1218
60-524	A	768
60-524	A	780
60-525	A	264
60-525	A	768
60-525	A	780
60-525	A	1218
60-526	A	768
60-526	A	780
60-533	A	768
60-533	A	780
60-533	A	1218
60-536	A	768
60-536	A	780
60-536	A	1218
60-538	A	768
60-538	A	780
60-538	A	1218
60-539	A	768
60-539	A	780
60-539	A	1218
60-540	A	768
60-540	A	780
60-540	A	1218
60-545	A	768
60-545	A	780
60-545	A	1218
60-546	A	768
60-546	A	780
60-546	A	1218
60-547	A	1218
60-550	A	768
60-550	A	780
60-550	A	1218
60-550.01	A	768
60-550.01	A	780
60-550.01	A	1218
60-552	A	768
60-552	A	780
60-552	A	1218
60-553	A	768
60-553	A	780
60-553	A	1218
60-554	A	768
60-554	A	780
60-554	A	1218
60-555	A	768
60-555	A	780
60-555	A	1218
60-556	A	264
60-556	A	265
60-556	A	768
60-556	A	780
60-556	A	1218
60-557	A	188
60-558	A	264
60-558	A	768
60-558	A	780
60-558	A	1218
60-560	A	768
60-560	A	780
60-560	A	1218
60-561	A	1295
60-565	A	768
60-565	A	780
60-565	A	1218
60-567	A	768
60-567	A	780
60-567	A	1218
60-568	A	768
60-568	A	780
60-568	A	1218
60-569	A	768
60-569	A	780
60-569	A	1218
60-601	A	188
60-601	A	222
60-601	A	265
60-601	A	445
60-601	A	586
60-601	A	688
60-601	A	993
60-601	A	1020
60-601	A	1027
60-601	A	1277
60-601	A	1287
60-605	A	188
60-605	A	993
60-610	A	1129
60-625	A	1146
60-631	A	344
60-667	A	265
60-672	A	74
60-678	A	1287
60-679	A	265
60-680	A	265
60-680	A	1277
60-680	A	1357
60-682.01	A	16
60-683	A	991
60-695	A	265
60-696	A	265
60-696	A	500
60-699	A	265
60-6,101	A	316
60-6,102	A	316
60-6,103	A	265
60-6,110	A	265
60-6,114	A	1129
60-6,118	A	344
60-6,119	A	265
60-6,119	A	1129
60-6,120	A	344
60-6,133	A	1146
60-6,138	A	1129
60-6,140	A	1076
60-6,141	A	1129
60-6,144	A	1129
60-6,148	A	265
60-6,151	A	265
60-6,151	A	1129
60-6,152	A	265

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60-6,160	A	1129
60-6,164	A	265
60-6,165	A	265
60-6,166	A	265
60-6,172	A	265
60-6,173	A	265
60-6,186	A	445
60-6,186	A	686
60-6,192	A	265
60-6,193	A	1129
60-6,196	A	188
60-6,196	A	235
60-6,196	A	445
60-6,196	A	864
60-6,196	A	1004
60-6,196	A	1089
60-6,197	A	188
60-6,197	A	445
60-6,197	A	864
60-6,197	A	1004
60-6,198	A	188
60-6,201	A	819
60-6,201	A	1115
60-6,202	A	819
60-6,202	A	1115
60-6,204	A	819
60-6,204	A	1115
60-6,205	A	188
60-6,206	A	188
60-6,211.07	A	188
60-6,213	A	744
60-6,214	A	310
60-6,216 to 60-6,218	A	188
60-6,219	A	997
60-6,222	A	997
60-6,229	A	1129
60-6,230	A	1076
60-6,231	A	265
60-6,231	A	1129
60-6,232	A	1076
60-6,233	A	265
60-6,233	A	1129
60-6,250	A	1129
60-6,267	A	410
60-6,267	A	970
60-6,267	A	1129
60-6,268	A	265
60-6,268	A	410
60-6,268	A	1237
60-6,271	R	356
60-6,271	R	445
60-6,271	R	583
60-6,272	A	356
60-6,279	A	358
60-6,285	A	1129
60-6,288	A	1146
60-6,290	A	1146
60-6,298	A	110
60-6,298	A	546
60-6,298	A	1020
60-6,298	A	1146
60-6,298	A	1249
60-6,299	A	1020
60-6,301	A	1146
60-6,308	A	265
60-6,349	A	1287
60-6,350	A	1287
60-6,351	A	1287
60-6,364	A	1129
60-1303	A	587
60-1303	A	1420
60-1306	A	587
60-1306	A	991
60-1401.02	A	1018
60-1401.02	A	1268
60-1403.01	A	1018
60-1406	A	1268
60-1407.03	A	1419
60-1407.05	R	1419
60-1417	A	1018
60-1434	A	1018
60-1438	A	1018
60-1515	A	1218
60-1901	A	991
60-1902	A	991
60-1903	A	991
60-1903	A	1037
60-1908	A	991
60-2401.01	A	265
60-2608	A	343
60-2901 to 60-2913	R	1317
60-3002	A	1016
60-3004	A	1287
60-3006	A	177
60-3006	A	1016
60-3007	A	1287
64-101	A	927
64-108	A	265
66-482	A	183
66-482	A	1067
66-485	A	1066
66-487	A	1066
66-488	A	1066
66-489	A	1445
66-490 to 66-493	A	183
66-491	A	1066
66-492	A	1066
66-493	R	1066
66-499	A	1445
66-4,100	A	1077
66-4,101	A	1320
66-4,105	A	1445
66-4,114	A	1066
66-4,115	R	1066
66-4,141	A	183
66-4,141 to 66-4,144	A	1067
66-4,143	A	183
66-4,144	A	183
66-4,144	A	1135
66-4,147	A	1066
66-4,148	A	1320
66-525	A	1066
66-527	A	1066
66-651	A	183
66-651	A	1066
66-654	A	1066
66-667	A	1066
66-668	A	1445
66-673	A	1066
66-674	A	1066

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66-674	A	1445
66-675	A	1066
66-677	A	1445
66-681	A	1066
66-684	A	1066
66-685	A	183
66-686	A	183
66-691.01	R	1066
66-694	A	1066
66-696	R	1066
66-698	A	183
66-698	A	1066
66-6,100	A	183
66-6,107	A	1445
66-6,110	A	1066
66-6,112	A	1445
66-6,115	A	1066
66-712	A	183
66-718	A	1066
66-719	A	1066
66-719.01	A	183
66-722	A	1066
66-723	A	1066
66-727	A	183
66-727	A	1066
66-730	R	1066
66-737	A	183
66-821	A	344
66-1105	A	900
66-1225	R	389
66-1225	R	1234
66-1330	A	1316
66-1337	A	1135
66-1345 to 66-1345.02	A	685
66-1345	A	1041
66-1406.02	A	1295
66-1516	A	459
66-1517	A	459
66-1521	A	1066
67-238	A	1437
67-240	A	1437
67-306	A	274
67-306	A	1437
67-344	A	1437
67-409	A	274
67-409	A	1437
67-454	A	1437
68-115	A	819
68-601 to 68-605	A	1216
68-608	A	1216
68-610	A	1216
68-612	A	1216
68-613	A	1216
68-614	R	1216
68-615	R	1216
68-617	R	1216
68-618	R	1216
68-620	A	1216
68-621	A	1216
68-622	A	1216
68-631	A	1216
68-704	R	889
68-1002	A	819
68-1006.01	A	819
68-1020	A	1300
68-1021	A	1115
68-1036.02	A	819
68-1037.06	R	1135
68-1038	A	819
68-1047	R	920
68-1048	A	892
68-1050	A	892
68-1050	A	1115
68-1051	A	892
68-1052	R	892
68-1053	R	892
68-1054	R	892
68-1055	R	892
68-1056	A	892
68-1064	A	892
68-1065	R	892
68-1066	R	892
68-1207	A	1321
68-1713	A	914
68-1723	A	914
68-1724	A	914
68-1724	A	1407
68-1725	A	1352
69-1701	A	937
69-2304	A	175
69-2308	A	175
69-2507	A	819
70-609	A	823
70-617	R	823
70-624.02	A	823
70-624.03	A	823
70-625	A	1375
70-628.03	A	390
70-655	A	771
70-1001	A	901
70-1002	A	1297
70-1003	A	901
70-1005	A	1297
70-1010	A	732
70-1010	A	1297
70-1011	A	1297
70-1013	A	1297
70-1023	A	901
71-101	A	209
71-101	A	797
71-101	A	1028
71-101	A	1299
71-101.01	A	797
71-105	A	797
71-107	A	797
71-108	A	797
71-110	A	797
71-111	A	797
71-112	A	797
71-112	A	963
71-112.03	A	797
71-113	A	797
71-114	A	797
71-115.01	A	797
71-116	A	797
71-117 to 71-120	A	797
71-121	A	797
71-121.01	A	797
71-122 to 71-124.01	A	797
71-128	A	797

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71-129	A	797
71-131	A	797
71-132	A	797
71-133	A	1261
71-138 to 71-140	A	797
71-141	A	797
71-143	A	797
71-144	A	797
71-147	A	209
71-147	A	797
71-147	A	1095
71-148	A	797
71-150	A	797
71-151	A	797
71-153	A	797
71-155	A	209
71-155	A	797
71-155.01	A	797
71-155.01	A	1135
71-156	A	797
71-161.02 to 71-161.04	A	797
71-161.06	A	265
71-161.07	A	797
71-161.09	A	797
71-161.10	A	797
71-161.10	A	1144
71-161.12 to 71-161.15	A	797
71-161.17	A	797
71-161.19	A	797
71-161.20	A	797
71-162	A	797
71-168	A	797
71-168	A	1115
71-168.01	A	797
71-168.02	A	797
71-168.02	A	819
71-168.02	A	1115
71-170	A	797
71-171.01	A	797
71-171.02	A	797
71-173	A	220
71-183.02	A	1261
71-185.01	A	819
71-193.04	A	1261
71-193.16	A	1261
71-1,103	A	819
71-1,103	A	1115
71-1,107.16	A	923
71-1,132.05	A	523
71-1,132.07	A	1115
71-1,132.08	A	1115
71-1,132.11	A	1115
71-1,132.31	A	523
71-1,136.01	A	1144
71-1,142	A	797
71-1,142	A	819
71-1,143	A	797
71-1,143	A	1115
71-1,144.01	A	797
71-1,144.01	A	1135
71-1,144.02	R	797
71-1,144.02	R	1135
71-1,144.03	A	797
71-1,144.04	A	797

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71-1,144.04	A	1135
71-1,145	A	797
71-1,145.01	R	797
71-1,146	R	797
71-1,147 to 71-1,147.02	A	797
71-1,147.01	A	1115
71-1,147.03	A	797
71-1,147.04	R	797
71-1,147.05	R	797
71-1,147.06	A	797
71-1,147.07	A	797
71-1,147.08	A	797
71-1,147.08	A	819
71-1,147.09 to 71-1,147.11	A	797
71-1,147.09	A	819
71-1,147.10	A	819
71-1,147.11	A	265
71-1,147.13	A	797
71-1,147.14	A	797
71-1,147.15 to 71-1,147.21	R	797
71-1,147.15	A	819
71-1,147.22 to 71-1,147.26	A	797
71-1,147.27	R	797
71-1,147.28	A	797
71-1,147.29	R	797
71-1,147.30 to 71-1,147.36	A	797
71-1,147.35	A	819
71-1,147.37	R	797
71-1,147.38	R	797
71-1,147.39	A	797
71-1,147.40	A	797
71-1,147.41 to 71-1,147.46	R	797
71-1,147.41	A	1135
71-1,147.46	A	265
71-1,147.47	R	797
71-1,147.48	A	797
71-1,147.48	A	1135
71-1,147.49	R	797
71-1,147.50	A	797
71-1,147.51	A	797
71-1,147.52	A	797
71-1,147.53 to 71-1,147.57	A	797
71-1,147.55	A	1135
71-1,147.57	A	1115
71-1,147.58	R	797
71-1,147.58	A	1115
71-1,147.59	A	797
71-1,147.59	R	1135
71-1,147.60	R	797
71-1,147.60	R	1135
71-1,147.61	R	797
71-1,152.01	A	963
71-1,153	A	963
71-1,154	A	961
71-1,154	A	963
71-1,158	A	1023
71-1,160	A	1023
71-1,160	A	1115
71-1,161	A	1023

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71-1,168 to 71-1,170	R	963
71-1,171	R	963
71-1,172 to 71-1,176	R	963
71-1,178	R	963
71-1,180	R	963
71-1,181	R	963
71-1,183 to 71-1,185	R	963
71-1,187	A	1108
71-1,194	A	1108
71-1,198	A	1115
71-1,200	A	819
71-1,313	A	1135
71-1,329	A	1135
71-1,339	A	1115
71-340	A	1141
71-3,106	A	819
71-3,106	A	1141
71-3,224	A	1141
71-503.01	A	1403
71-507	A	819
71-511	A	819
71-516.03	A	819
71-533	A	819
71-541	A	1115
71-605	A	316
71-605.04	A	316
71-634	A	983
71-1333.02	A	265
71-1536	A	797
71-1590	A	1345
71-1612	A	316
71-1637	A	819
71-1638	A	819
71-1704 to 71-1708	A	1115
71-1709.01 to 71-1710	A	1115
71-1712	A	1115
71-1714	A	1115
71-1716 to 71-1716.03	A	1115
71-1716.05	A	1115
71-1717	A	1115
71-1718.01	A	1115
71-1718.02	A	1115
71-1721	A	1115
71-1721.07	A	1115
71-1722	A	1115
71-1723 to 71-1727	A	1115
71-1735	A	1115
71-1774	A	1140
71-1775 to 71-1777	A	1140
71-1778	A	1140
71-1780	A	1140
71-1781	A	1140
71-1784	A	1140
71-1901	A	1005
71-1901	A	1135
71-1902	A	857
71-1902	A	1005
71-1902	A	1135
71-1903	A	856
71-1903	A	1005
71-1903	A	1135
71-1904	A	1005
71-1904	A	1135
71-1905	A	1005
71-1905	A	1135
71-1906.02	R	1135
71-1913.01	A	1115
71-1917	A	1231
71-2002	A	819
71-2023	A	797
71-2024	A	797
71-2048.01	A	819
71-2049	A	819
71-2075	A	819
71-2076	A	819
71-2079	A	819
71-2084 to 71-2096	A	819
71-2097	A	819
71-20,103	A	819
71-20,112	A	819
71-2401 to 71-2403	R	797
71-2404	A	797
71-2405	A	797
71-2407 to 71-2410	A	797
71-2411	A	819
71-2412 to 71-2417	A	797
71-2501	A	797
71-2502 to 71-2505	R	797
71-2506	A	797
71-2507	R	797
71-2508	R	797
71-2509	A	797
71-2510 to 71-2512	R	797
71-2601	A	819
71-2610.01	A	1115
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71-2801	A	1299
71-2802	A	1299
71-2803.01	A	1299
71-2804	A	1299
71-2807	A	1299
71-2815	A	1299
71-2819	A	1299
71-3401	A	819
71-3405	A	316
71-3408	A	316
71-3409	A	316
71-3410	A	316
71-3505	A	1115
71-3507	A	1115
71-3515.02	A	1212
71-3605	A	824
71-3608	A	819
71-3613	A	819
71-4305	A	911
71-4401	A	1115
71-4720.01	A	782
71-4720.01	A	1298
71-4727	A	782
71-4728	A	782

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71-4813	A	316
71-4902	R	1135
71-4903	A	1135
71-5001 to 71-5003	A	1135
71-5003	A	1264
71-5004	R	1135
71-5004	A	1264
71-5005	R	1135
71-5006	R	1135
71-5006	A	1264
71-5007	A	1135
71-5008	A	1135
71-5009	A	1135
71-5009	A	1264
71-5009.01	A	1135
71-5014	A	1135
71-5015	A	1135
71-5021	A	1135
71-5022	A	1135
71-5025	A	1135
71-5027	A	1135
71-5032	A	1135
71-5033	A	819
71-5033	A	1135
71-5034	A	1135
71-5040	A	1135
71-5054	R	1135
71-5187	A	1129
71-5191	A	1115
71-5191	A	1129
71-5303	A	1115
71-5306	A	1115
71-5326	A	1138
71-5401	R	797
71-5401	A	797
71-5402	R	797
71-5403	A	797
71-5404	R	797
71-5405 to 71-5407	R	797
71-5408	A	797
71-5652	A	1212
71-5653	A	1212
71-5662	A	1115
71-5662	A	1212
71-5663	A	1115
71-5663	A	1212
71-5665	A	1115
71-5668	A	1115
71-5668	A	1212
71-5704	A	750
71-5707	A	750
71-5707	A	1033
71-5707	A	1194
71-5708	A	750
71-5710	A	750
71-5803.01	A	819
71-5803.02	A	819
71-5803.05	A	819
71-5803.06	A	819
71-5803.08	A	819
71-5803.10	A	819
71-5803.13	A	819
71-5869	A	819
71-5901	R	819
71-5902	R	819
71-5903	R	819
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71-6601	A	819
71-6602	A	819
71-6603	A	819
71-6606	A	819
71-6609	A	819
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71-6801	R	819
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71-6802 to 71-6815.01	R	819
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71-6803	A	1135
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71-6806	A	1135
71-6807	A	1135
71-6810	A	736
71-6810	A	1135
71-6816	A	736
71-6816	R	819
71-6816	R	1115
71-6817 to 71-6831	R	819
71-6817 to 71-6831	R	1115
71-6819	A	1135
71-6829	R	1135
71-6830	A	1135
71-6906	A	1291
71-6909	R	1291
71-7102	A	819
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71-7108	A	1135
71-7109	A	1135
71-7110	A	1135
71-7402 to 71-7408	R	797
71-7405	A	797
71-7409	R	797
71-7410	R	797
71-7411	R	797
71-7412	A	797
71-7413	R	797
71-7415	A	797
71-7416	A	797
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71-7424	A	797
71-7426	A	797
71-7605	A	1427
71-7606	A	1427
71-7606.01	A	1427
71-7607	A	1427

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71-7608	A	1427
71-7608	A	1436
71-7609 to 71-7611	A	1427
71-7610	A	1215
71-7611	A	505
71-7611	A	1436
71-7612	R	1427
71-7613	A	819
71-7614	A	1153
71-7614	A	1427
71-7702	A	819
71-7901	A	819
71-8207	A	1115
71-8219	A	819
71-8244	A	1135
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71-8252	R	1135
72-201	A	1054
72-204	A	1010
72-240.14	A	414
72-240.26	A	1010
72-257	A	1010
72-258	A	1010
72-258.02	A	1010
72-417	A	692
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72-728	A	230
72-815	A	1216
72-816	A	1216
72-1263	A	1178
72-1264	A	1178
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73-101	A	801
73-401	R	481
74-308	A	662
74-597	A	265
74-608	A	1421
74-609	A	1421
74-1305	A	803
74-1307	A	1154
74-1310	A	344
74-1320	A	1445
74-1405.02	A	344
74-1413	A	1077
75-104	A	956
75-109	A	1432
75-128	A	1295
75-128	A	1404
75-130	A	265
75-134	A	1240
75-156	A	427
75-156	A	595
75-156	A	1050
75-156	A	1285
75-156	A	1295
75-301	A	1295
75-302	A	1295
75-303	A	1295
75-304 to 75-307.03	A	1295
75-309	A	1295
75-311	A	765
75-311	A	1295
75-313	A	765
75-318	A	765
75-352	A	1295
75-363	A	1361
75-364	A	1361
75-366	A	1295
75-369.02	A	1295
75-369.03	A	1295
75-370	A	1295
75-371	A	1295
75-386	A	1295
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75-901	A	958
75-902	A	958
76-214	A	1188
76-289	A	305
76-2,112	A	1381
76-706	A	414
76-715	A	824
76-717	A	824
76-718	A	824
76-718	A	921
76-720	A	824
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76-723	A	824
76-902	A	990
76-1224	A	344
76-1228	A	451
76-1230	A	451
76-1231	A	451
76-1232	A	451
76-1233	A	451
76-1241	A	451
76-1304	A	819
76-1416	A	175
76-1419	A	406
76-1446	A	175
76-1446	A	265
76-1447	A	824
76-1483	A	175
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76-1713	A	918
76-1715	A	918
76-1716	A	918
76-1718	A	918
76-1719	A	918
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76-1725 to 76-1727	A	918
76-1732	A	918
76-1734	A	918
76-1736	A	918
76-1738	A	918
76-2201	A	709
76-2207	A	709
76-2217.01	A	709
76-2218	A	709
76-2220	A	709
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76-2222	A	709
76-2223	A	709
76-2225	A	709
76-2227	A	709
76-2228	A	709
76-2229	A	709
76-2229.01	A	709
76-2229.02	R	709
76-2233	A	709
76-2233.01	A	709
76-2233.02	A	709
76-2234	R	709
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76-2245	A	709
76-2246	A	709
76-2249	A	709
76-2250	A	709
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77-112	A	1124
77-112	A	1188
77-115	A	1188
77-201	A	1017
77-201	A	1124
77-201	A	1353
77-202	A	1057
77-202	A	1105
77-202.01	A	1276
77-202.02	A	1276
77-202.03	A	1188
77-202.03	A	1276
77-202.04	A	1042
77-202.04	A	1276
77-202.05	A	1188
77-202.11	A	968
77-202.12	A	968
77-204	A	928
77-210 to 77-212	R	1188
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77-3,119	A	1098
77-3,119	A	1138
77-421	A	1188
77-501 to 77-503	R	1067
77-609	A	1188
77-623	A	1188
77-684	A	1188
77-801	A	1188
77-801.01	A	1188
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77-802.02	A	1188
77-908	A	925
77-908	A	1136
77-912	A	1208
77-913	A	654
77-913	A	1138
77-918	A	1208
77-1210	A	1188
77-1213	R	1188
77-1214	A	265
77-1229	A	1188
77-1233.04	A	1188
77-1249	A	1188
77-1315	A	949
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77-1327	A	1100
77-1331	A	1188
77-1332	A	1188
77-1333	R	1188
77-1338	A	949
77-1340	A	1015
77-1343	A	1260
77-1344	A	1017
77-1344	A	1124
77-1344	A	1260
77-1344	A	1353
77-1345	A	1260
77-1346 to 77-1348	A	1260
77-1347	A	1014
77-1359	A	1124
77-1360.01	R	1124
77-1360.01	A	1353
77-1361	A	1124
77-1362	A	1124
77-1371	A	419
77-1371	A	1124
77-1371	A	1260
77-1376	A	502
77-1378	R	949
77-1379	R	949
77-1380 to 77-1381.01	R	949
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77-1384	R	949
77-1504	A	1188
77-1504.01	A	967
77-1511	A	1043
77-1514	A	949
77-1514	A	1188
77-1519	A	1042
77-1601	A	1055
77-1701	A	1188
77-1704	A	928
77-1704	A	1048
77-1704.01	A	928
77-1704.01	A	1138
77-1705	A	453
77-1705	A	928
77-1705	A	1048
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77-1716 to 77-1718	A	1048
77-1721	A	1048
77-1725.01	A	265
77-1738	A	1048
77-1739	A	1048
77-1784	A	1251
77-1801	A	1048
77-1823	A	1031
77-1862	A	1048
77-2004	A	770
77-2004	A	985
77-2004	A	1074
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77-2023	A	824
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77-2386	A	503
77-2386	A	553
77-2386	A	554
77-2386	A	1271
77-2387	A	503
77-2387	R	553
77-2387	A	1128
77-2387	A	1271
77-2388 to 77-2390	R	553
77-2391	R	553
77-2392 to 77-2397	R	553
77-2404.15	A	1294
77-2601	A	916
77-2602	A	505
77-2602	A	652
77-2602	A	1349
77-2603	A	916
77-2604	A	916
77-2605	A	916
77-2607	A	916
77-2608	A	654
77-2610	A	916
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77-2614	A	916
77-2615	A	916
77-2620	A	916
77-2701	A	171
77-2701	A	710
77-2701	A	772
77-2701	A	924
77-2701	A	925
77-2701	A	1088
77-2701	A	1099
77-2701	A	1109
77-2701	A	1193
77-2701	A	1302
77-2701	A	1307
77-2701	A	1354
77-2701.01	A	670
77-2701.01	A	1173
77-2701.02	A	670
77-2701.02	A	836
77-2701.02	A	1024
77-2702.07	A	245
77-2702.07	A	648
77-2702.07	A	836
77-2702.07	A	1082
77-2702.07	A	1374
77-2702.13	A	836
77-2702.13	A	1193
77-2702.14	A	819
77-2702.14	A	836
77-2702.15	A	819
77-2702.17	A	245
77-2702.17	A	772
77-2702.17	A	836
77-2702.17	A	1374
77-2703	A	836
77-2704.03	R	836
77-2704.05	A	183
77-2704.05	A	836
77-2704.10	A	1270
77-2704.10	A	1444
77-2704.12	A	819
77-2704.12	A	1193
77-2704.15	A	557
77-2704.15	A	948
77-2704.18	R	1135
77-2704.22	A	962
77-2704.24	A	836
77-2704.24	A	1444
77-2704.30	A	772
77-2704.31	A	803
77-2704.38	R	905
77-2711	A	803
77-2715	A	400
77-2715	A	710
77-2715	A	1438
77-2715.01	A	535
77-2715.02	A	710
77-2715.02	A	836
77-2715.02	A	987
77-2715.07	A	482
77-2715.07	A	484
77-2715.07	A	710
77-2715.07	A	817
77-2715.07	A	925
77-2715.07	A	955
77-2715.07	A	1070
77-2715.07	A	1136
77-2715.07	A	1168
77-2715.07	A	1338
77-2715.07	A	1414
77-2715.08	A	383
77-2715.09	A	383
77-2716	A	383
77-2716	A	667
77-2716	A	848
77-2716	A	919
77-2716	A	943
77-2716	A	1003
77-2716	A	1072
77-2716	A	1351
77-2716	A	1372
77-2716.01	A	601
77-2716.01	R	710
77-2716.01	A	987
77-2716.02	R	886
77-2716.03	R	710
77-2727	A	667
77-2732	A	987
77-2733	A	905
77-2734.01	A	667
77-2734.03	A	925
77-2734.03	A	1136
77-2734.03	A	1223
77-2734.04	A	383
77-2734.04	A	1072
77-2734.07	A	1155
77-2734.17	R	886
77-2769.03	R	886
77-2793	A	1412
77-27,119	A	1447
77-27,132	A	1438
77-27,132	A	1444
77-27,136	A	657
77-27,136	A	1138
77-27,136	A	1263
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77-27,137	A	1263
77-27,137.01	A	1138
77-27,137.02	A	1138
77-27,138.01	R	1138
77-27,139	A	1138
77-27,139.01	R	1138
77-27,139.02	A	1138
77-27,139.03	A	1138
77-27,139.04	A	1138
77-27,142	A	535
77-27,142.03	A	1114
77-27,144	A	365
77-27,144	A	1138
77-27,144	A	1230
77-27,149 to 77-27,155	R	1049
77-27,149 to 77-27,155	A	1411
77-27,156	A	464
77-27,158	A	464
77-27,160	A	905
77-27,161	A	905
77-27,166 to 77-27,169	A	905
77-27,171	A	905
77-27,172	A	905
77-27,188.02	A	1046
77-3001	A	576
77-3442	A	803
77-3442	A	945
77-3442	A	1006
77-3442	A	1036
77-3442	A	1073
77-3442	A	1107
77-3442	A	1132
77-3442	A	1134
77-3442	A	1191
77-3442	A	1254
77-3442	A	1255
77-3442	A	1293
77-3442	A	1305
77-3442	A	1356
77-3442	A	1368
77-3442	A	1438
77-3443	A	803
77-3443	A	1006
77-3443	A	1132
77-3443	A	1191
77-3443	A	1254
77-3443	A	1255
77-3444	A	173
77-3444	A	945
77-3444	A	1006
77-3444	A	1376
77-3444	A	1447
77-3445	A	1305
77-3446	A	38
77-3446	A	947
77-3446	A	1430
77-3501	A	836
77-3501	A	1358
77-3504	A	819
77-3504	A	946
77-3504	A	1061
77-3508	A	1358
77-3509.01 to 77-3509.03	A	836
77-3510	A	836
77-3510	A	1063
77-3511	A	836
77-3512 to 77-3514	A	836
77-3512	A	1063
77-3513	A	1358
77-3516	A	836
77-3521	A	836
77-3522	A	836
77-3523	A	836
77-3523	A	1116
77-3529	A	836
77-3530	A	1061
77-3618	A	1138
77-3806	A	925
77-3806	A	1136
77-4008	A	505
77-4101	A	1047
77-4104	A	807
77-4104	A	1047
77-4104	A	1340
77-4104	A	1398
77-4104.01	A	1137
77-4105	A	803
77-4105	A	1047
77-4105	A	1188
77-4105	A	1254
77-4105	A	1255
77-4105	A	1398
77-4106	A	803
77-4106	A	1045
77-4106	A	1254
77-4106	A	1255
77-4107	A	1046
77-4107	A	1137
77-4112	A	1046
77-4112	A	1047
77-4112	A	1137
77-4113	A	1340
77-4301	A	797
77-4401	A	1041
77-4603	A	1396
77-4901	A	1149
77-4935	R	1149
77-4935	A	1330
77-5003	A	1042
77-5005	A	949
77-5005	A	1042
77-5009	A	1042
77-5016	A	967
77-5019	A	967
77-5023	A	967
77-5023	A	1017
77-5023	A	1260
77-5023	A	1353
77-5024	R	949
77-5025	R	949
77-5028	A	949
77-5101	R	942
77-5101	R	1135
77-5102	R	942
77-5102	R	1135
77-5103	R	942
77-5103	R	1135
77-5104	R	942
77-5104	R	1135

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77-5105	R	942
77-5105	R	1135
77-5201	A	1057
77-5203 to 77-5205	A	1223
77-5209 to 55-5211	A	1223
77-5304	A	1214
79-101	A	1406
79-101	A	1447
79-102	A	1447
79-201	A	1406
79-203	A	1447
79-211	A	1406
79-214	A	415
79-214	A	1115
79-214	A	1401
79-215	A	486
79-215	A	487
79-215	A	857
79-215	A	1334
79-215	A	1406
79-220	A	415
79-221	A	1115
79-234	A	388
79-234	A	811
79-234	A	1246
79-234	A	1447
79-237	A	811
79-237	A	1401
79-238	A	811
79-238	A	1401
79-240	A	811
79-240	A	1401
79-254	A	758
79-254	A	1272
79-255	A	758
79-255	A	1272
79-256	A	758
79-256	A	1272
79-257	A	758
79-257 to 79-265	A	1272
79-258	A	758
79-259	A	758
79-260	A	758
79-261	A	758
79-262	A	758
79-265	A	758
79-266	A	758
79-266	A	1272
79-266.01	A	1272
79-267	A	758
79-267	A	797
79-267 to 79-270	A	1272
79-268	A	758
79-269	A	758
79-270	A	758
79-273	A	758
79-273	A	1272
79-274	A	1272
79-282 to 79-291	A	1272
79-284	A	758
79-288	A	758
79-296	A	797
79-2,105	A	758
79-2,105	A	1272
79-2,123	A	69
79-401	A	1447
79-402	R	1447
79-403	A	1447
79-404	R	1447
79-406	R	1447
79-410	R	1447
79-411	R	1447
79-413	A	1447
79-415	A	1447
79-416	A	1447
79-417	R	1447
79-418	A	1447
79-419	A	1447
79-422	A	1447
79-423	A	1447
79-424	R	1447
79-425	R	1447
79-426	R	1447
79-427	R	1447
79-431	R	1447
79-433	A	1447
79-434	A	1447
79-437	A	1447
79-440	A	1447
79-442	A	1401
79-443	A	1447
79-447	A	1447
79-449	A	1447
79-452	A	1447
79-454	A	1447
79-455	A	1447
79-458	A	304
79-458	A	388
79-458	A	1401
79-470	A	1447
79-472	R	1447
79-473	A	1246
79-473	A	1447
79-477	R	1447
79-478	R	1447
79-479	A	1447
79-492	R	1447
79-493	A	1447
79-494	A	1447
79-495	A	1447
79-499	A	1447
79-4,100	R	1447
79-4,101	A	1401
79-4,101	R	1447
79-4,102	R	1447
79-4,103	R	1447
79-4,104	R	1447
79-4,107	R	1401
79-4,108	A	1329
79-4,108	A	1447
79-4,109	R	1447
79-4,110	R	1376
79-4,110	R	1447
79-4,111	A	173
79-4,111	A	1213
79-4,111	A	1376
79-4,111	R	1447
79-501	A	1447
79-502	A	1447

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79-519	A	1447	79-8,102	R	1401
79-523	R	1447	to 79-8,105		
79-524	A	1447	79-8,110	R	1447
79-525	A	1447	79-902	A	545
79-526	A	1447	79-902	A	1192
79-528	A	1401	79-905	A	1192
79-528	A	1447	79-906	A	1192
79-533	A	988	79-907	A	1192
79-534	A	1334	79-911	A	1192
79-535	A	1334	79-917	A	1192
79-540	R	1447	79-933	A	676
79-541	R	1447	79-934	A	676
79-542	R	1447	79-951	A	676
79-544	A	1447	79-956	A	1192
79-548	R	1447	79-960	A	1192
79-553	R	1447	79-960	A	1447
79-554	A	1447	79-961	R	1192
79-556	R	1447	79-963	A	1192
79-557	R	1447	79-9,100	A	155
79-558	R	1447	79-9,104	A	155
79-559	A	1447	79-9,105	A	155
79-563	R	1447	79-9,113	A	155
79-565	R	1447	79-1001	A	387
79-568	R	1447	79-1001	A	715
79-569	A	1447	79-1001	A	1213
79-570	A	1447	79-1001	A	1400
79-572	A	1447	79-1001	A	1438
79-573	A	1401	79-1003	A	173
79-576	A	1447	79-1003	A	495
79-577	A	1447	79-1003	A	812
79-578	A	1447	79-1003	A	1213
79-579	A	1447	79-1003	A	1376
79-580	A	1447	79-1003	A	1397
79-581	A	1447	79-1003	A	1400
79-583	A	1401	79-1003	A	1401
79-585	R	1447	79-1003	A	1447
79-586	A	1447	79-1005.01	A	1058
79-587	A	1447	79-1005.01	A	1447
79-588	A	1447	79-1007.01	A	668
79-594	A	1447	79-1007.01	A	1406
79-598	A	1447	79-1007.02	A	668
79-5,107	A	1447	79-1007.02	A	1400
79-5,108	A	1290	79-1008.01	A	1401
79-5,108	R	1447	79-1008.01	A	1438
79-605	A	1447	79-1008.02	A	1107
79-611	A	1447	79-1008.02	A	1401
79-716	R	1447	79-1009	A	1401
79-717	R	1447	79-1010	A	896
79-728	A	1447	79-1010	A	1161
79-757	A	812	79-1010.01	A	896
79-757	A	905	79-1015.01	A	1107
79-758	A	905	79-1015.01	A	1401
79-758	A	1236	79-1016	A	1017
79-758	A	1447	79-1016	A	1044
79-759	A	812	79-1016	A	1260
79-759	R	1401	79-1016	A	1353
79-759	A	1447	79-1018.01	A	495
79-760	A	812	79-1018.01	A	905
79-761	A	905	79-1018.01	A	1438
79-808	A	812	79-1018.01	A	1444
79-808	A	1336	79-1022	A	1438
79-808	A	1364	79-1022.01	R	1213
79-817	A	1401	79-1023	A	1213
79-828	A	1447	79-1023	A	1447
79-846	A	169	79-1024	A	1213
79-850	A	1447	79-1024	A	1447
79-856	A	425	79-1026	A	1213

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79-1026	A	1447
79-1027	A	540
79-1027.01	R	1376
79-1027.01	A	1447
79-1028	A	1036
79-1028	A	1213
79-1028	A	1400
79-1028	A	1401
79-1028	A	1447
79-1029	A	1213
79-1029	A	1324
79-1029	A	1447
79-1030	A	1447
79-1031	A	1397
79-1032	A	1401
79-1035	A	1401
79-1036	A	1447
79-1045	A	1447
79-1070	A	1433
79-1072	A	1447
79-1072.01	A	1400
79-1072.01 to 79-1072.03	A	1401
79-1072.01	A	1447
79-1072.04	A	968
79-1072.04	A	1161
79-1072.04	R	1214
79-1074	A	1447
79-1075	A	1447
79-1076	R	1401
79-1076	R	1447
79-1077	A	1001
79-1077	R	1447
79-1078	A	1001
79-1078	R	1447
79-1081	A	968
79-1082	A	968
79-1082	R	1401
79-1083.02	R	1447
79-1083.03	A	173
79-1083.03	R	1213
79-1083.03	A	1376
79-1083.03	R	1447
79-1089	A	1056
79-1089	A	1447
79-1090	A	1447
79-1092	A	1401
79-1095	A	1380
79-1096	A	1380
79-1098	A	1376
79-1098	A	1447
79-1099	R	1447
79-10,100	A	1447
79-10,101	A	1447
79-10,103	A	1447
79-10,110	A	1447
79-10,111	A	1447
79-10,113	R	1447
79-10,114	A	1447
79-10,117	A	1447
79-10,118	A	1447
79-10,120	A	387
79-10,120	A	1447
79-10,121	R	1447
79-10,122	R	1447
79-10,123	R	1447
79-10,124	A	1376
79-10,124	A	1401
79-10,124	R	1447
79-10,125	R	1447
79-1101	A	1336
79-1103	A	1336
79-1104	A	1336
79-1108.02	A	1447
79-1110	A	544
79-1110	A	1135
79-1110	A	1335
79-1115	A	1243
79-1125	A	1401
79-1132	A	1335
79-1142	A	449
79-1142	A	1335
79-1142	A	1401
79-1144	A	1335
79-1145	A	1243
79-1145	A	1335
79-1155	A	857
79-1155	A	1401
79-1162	A	1401
79-1183.01	A	544
79-1183.01	R	1135
79-1185	A	449
79-11,145	A	898
79-11,146	A	898
79-11,149	A	898
79-1217	A	1447
79-1310	A	905
79-1310	A	1447
79-1312	A	1135
79-1316	A	1328
79-1326	R	1135
79-1327	R	1135
79-1502	R	1135
79-1504	A	1447
79-1605	A	1447
80-314	A	430
80-316	A	430
80-320	A	430
80-401.01	A	604
80-411	A	604
80-802	A	604
81-101	A	344
81-101	A	866
81-101	A	900
81-102	A	344
81-102	A	900
81-107	A	866
81-125.01	A	464
81-145	A	654
81-149	A	654
81-150	A	654
81-151	A	654
81-153	A	654
81-154	A	654
81-154.01	A	934
81-159	A	654
81-161	A	654
81-161.01	A	654
81-161.02	A	654
81-161.03	A	654
81-161.04	A	654
81-163.01	R	654
81-164	A	654
81-166	A	654

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81-168	A	654
81-171	A	654
81-177	A	1135
81-179	A	187
81-179	A	1349
81-188.01	A	654
81-2,147	A	959
81-2,147.01	A	959
81-2,147.06	A	1079
81-2,233 to 81-2,235	R	463
81-2,245.01	A	819
81-2,270	A	819
81-2,283	A	834
81-401	A	1257
81-502	A	819
81-520.01	A	1370
81-5,147	A	1135
81-5,149	R	1135
81-5,150	R	1135
81-604.01	A	819
81-604.03	A	819
81-651	A	819
81-658	A	819
81-687	A	797
81-701.01	A	344
81-701.02	A	344
81-701.04	A	344
81-710	A	344
81-818	R	1135
81-820	R	1135
81-821	R	1135
81-822	R	1135
81-823	A	1135
81-885.04	A	1062
81-885.21	A	1341
81-885.24	A	627
81-885.24	A	1062
81-8,219	A	254
81-8,219	A	282
81-8,219	A	591
81-8,240	A	481
81-1108	A	934
81-1108.03	A	1216
81-1108.05	A	1216
81-1108.15	A	193
81-1108.15	A	370
81-1108.15	A	430
81-1108.15	A	739
81-1108.15	A	1216
81-1108.33	A	631
81-1108.41	A	631
81-1108.41	A	654
81-1108.41	A	934
81-1110.02	A	1216
81-1110.04	A	1216
81-1113	A	1305
81-1114.02	A	934
81-1117.01	A	1216
81-1118	A	654
81-1118.01	A	654
81-1118.02	A	1305
81-1118.03	A	654
81-1118.04	A	654
81-1120.02	A	893
81-1120.03	A	893
81-1120.32 to 81-1120.34	R	934
81-1120.33	R	1135
81-1120.34	R	1135
81-1120.35 to 81-1120.38	A	934
81-1120.39	R	934
81-1120.40	A	934
81-1184	A	654
81-1185	A	654
81-1186	A	654
81-1187	A	654
81-1190 to 81-1192	A	1349
81-1192	A	731
81-1193	R	1349
81-1194	A	1349
81-1195	A	731
81-1195	A	1349
81-1197	R	1349
81-1198	R	1349
81-1199	A	1349
81-11,100	R	1349
81-11,101	A	731
81-11,101	R	1349
81-11,102	A	1349
81-11,103	R	1349
81-1201.21	A	953
81-1201.21	A	1305
81-1211	A	885
81-1247	A	819
81-1254	A	1303
81-1255	A	847
81-1255	A	1303
81-1299	A	1348
81-12,102	A	1348
81-12,103	A	1348
81-1316	A	654
81-1317	A	654
81-1317.01	A	654
81-1348	A	654
81-1354.02	R	934
81-1355	A	69
81-1356	A	69
81-1380	A	1424
81-1385	A	1424
81-1386	A	1310
81-1401	A	265
81-1401	A	655
81-1401	A	994
81-1402	A	201
81-1402	A	265
81-1402	A	994
81-1403	A	265
81-1403	A	994
81-1404	A	265
81-1404	A	994
81-1406	A	201
81-1406	A	994
81-1410	A	265
81-1410	A	994
81-1411	A	265
81-1413	A	265
81-1413	A	994
81-1414	A	201
81-1414	A	994
81-1425	A	599

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81-1425	A	1008
81-1428	A	994
81-1505.04	A	1244
81-1532	A	1000
81-1532	A	1360
81-1533	R	1000
81-15,113.01	A	606
81-15,117	A	459
81-15,152	A	1000
81-15,153	A	1000
81-15,158	A	1138
81-15,167	A	992
81-15,168	A	1266
81-15,169	A	992
81-15,170	A	900
81-15,173	A	992
81-15,174	A	905
81-15,174	A	992
81-15,175	A	992
81-15,176	A	992
81-15,176	A	1266
81-15,191	A	717
81-15,193	A	717
81-15,207	A	717
81-15,210	A	717
81-15,213	A	717
81-15,214	A	717
81-15,235	A	717
81-1609	A	1135
81-1610	R	1135
81-1611	A	1135
81-1612	A	1135
81-1616	A	1135
81-1636	A	1377
81-2001	A	210
81-2005	A	587
81-2005	A	991
81-2005	A	1420
81-2010	A	736
81-2010.03	A	736
81-2014	A	1192
81-2016	A	1192
81-2021	A	1192
81-2027.06	A	773
81-2210	A	1101
81-2243	A	819
81-2266	R	888
81-2304	A	900
81-2304	A	934
81-2307	A	934
81-2308.01	A	934
81-2602	A	900
81-3001	A	481
81-3002	A	868
81-3004	A	868
81-3201	A	819
81-3449	A	900
81-3453	A	900
82-317 to 82-329	R	830
83-101.06	A	819
83-107.01	A	430
83-108	A	430
83-108	A	819
83-108.04	A	857
83-120	R	1115
83-140	A	654
83-162.04	A	905
83-162.04	A	1087
83-162.04	A	1135
83-162.04	A	1241
83-162.06	A	1241
83-178	A	866
83-183	A	185
83-183	A	938
83-195	A	265
83-1,106	A	866
83-1,107	A	1391
83-1,116	A	185
83-1,127.02	A	188
83-1,128	A	265
83-1,132	R	1118
83-210.01 to 83-210.03	A	352
83-210.04 to 83-210.07	R	352
83-211	A	352
83-211.02	A	352
83-212	R	352
83-323	R	430
83-324	R	430
83-338	A	708
83-380	A	1138
83-391	A	819
83-392	A	819
83-4,109	A	866
83-4,110	A	866
83-4,111	A	866
83-4,112	A	866
83-4,115	A	866
83-4,123	A	866
83-4,125	A	1392
83-4,143	A	288
83-905	R	866
83-922	A	321
83-931 to 83-933	A	321
83-939	A	321
83-1003	A	435
83-1003	A	884
83-1006	A	819
83-1008	A	884
83-1009	A	435
83-1011	A	316
83-1012	A	435
83-1013	A	435
83-1013	A	884
83-1015	A	884
83-1016	A	884
83-1019	A	884
83-1020	A	1325
83-1023	A	884
83-1024	A	884
83-1025	A	435
83-1026	A	435
83-1026	A	884
83-1036	A	435
83-1037	A	435
83-1046	A	435
83-1047	A	884
83-1048	A	884
83-1049	A	435
83-1049	A	884
83-1050	A	884

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83-1051	A	884
83-1053	A	435
83-1055	A	884
83-1058	A	884
83-1059	A	884
83-1061	A	884
83-1062	A	884
83-1064	A	884
83-1066	A	884
83-1069	A	884
83-1078	A	435
84-101.01	A	956
84-201.01	A	956
84-304	A	1279
84-304	A	1304
84-612	A	239
84-612	A	875
84-612	A	1214
84-612	A	1305
84-712	A	628
84-712.01	A	114
84-712.01	A	628
84-712.05	A	905
84-712.09	A	108
84-721	A	956
84-918	A	866
84-1205.02	A	534
84-1227	A	1446
84-1301	A	1192
84-1305.01	A	1192
84-1307	A	1192
84-1310.01	A	1200
84-1311.03	A	1200
84-1314	A	1200
84-1321.01	A	1200
84-1411	A	968
84-1412	A	933
84-1503	A	1192
84-1504	A	1104
84-1512	A	1192
84-1601	A	654
84-1602	A	934
84-1603	A	934
84-1604.01	A	352
84-1605	A	934
84-1606	A	934
84-1613	A	934
84-1613	A	1176
84-1616	A	934
85-102.01 to 85-103.01	A	631
85-106	A	830
85-106.01 to 85-106.03	R	830
85-107	A	631
85-121.03	A	1305
85-162.03	A	900
85-166	R	1135
85-167	A	1135
85-169	A	1135
85-170	A	1135
85-171	A	1135
85-177	A	534
85-1,125	A	1379
85-304	A	830

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85-304.01 to 85-304.03	R	830
85-417	A	650
85-956 to 85-958	A	631
85-963	A	631
85-9,175	A	69
85-1002	A	1135
85-1005	A	1135
85-1008	R	1135
85-1416	A	1305
85-1418	A	1305
85-1501	A	1305
85-1503	A	541
85-1503	A	1305
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